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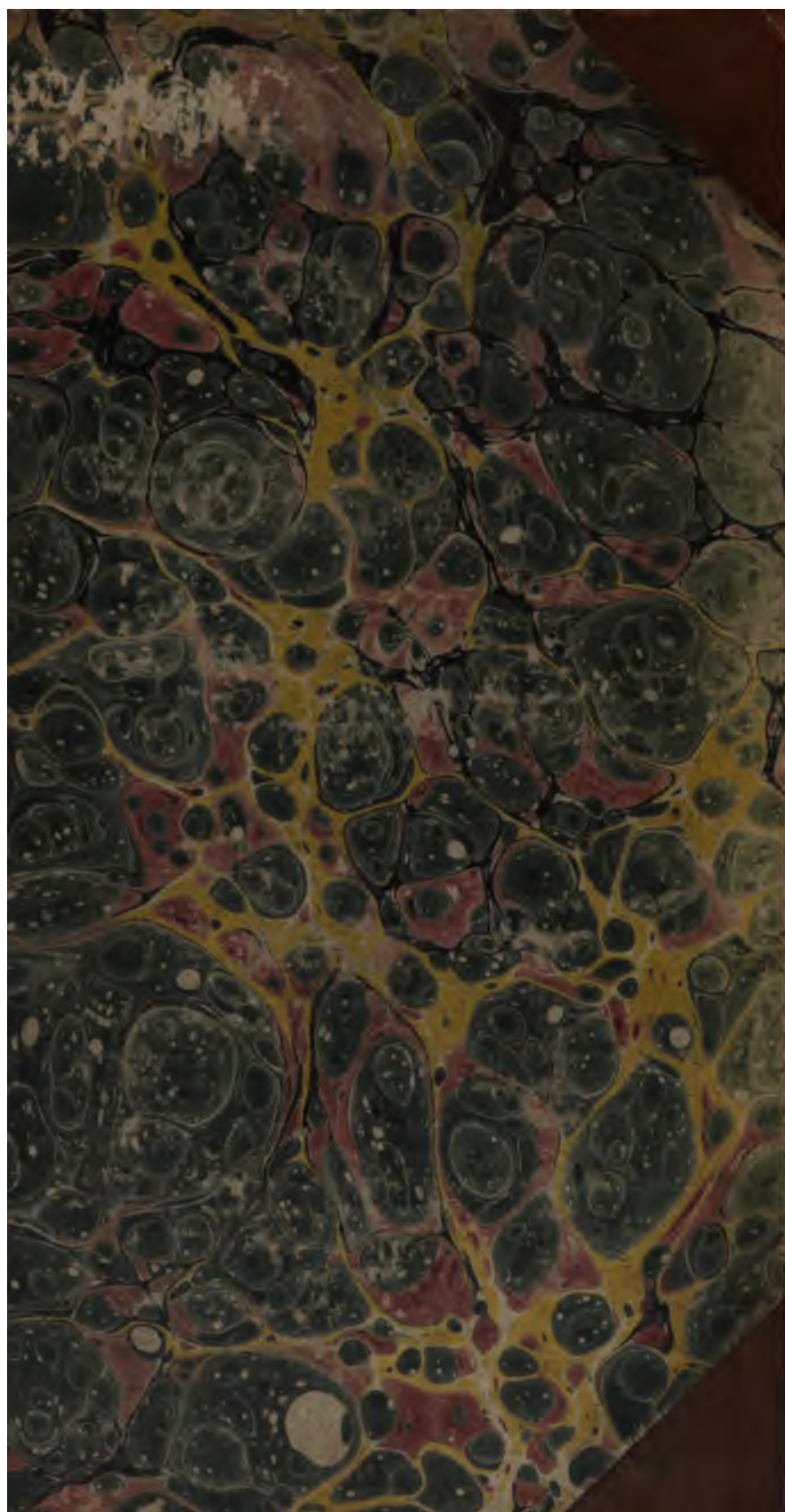
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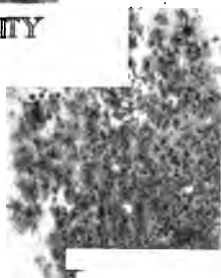
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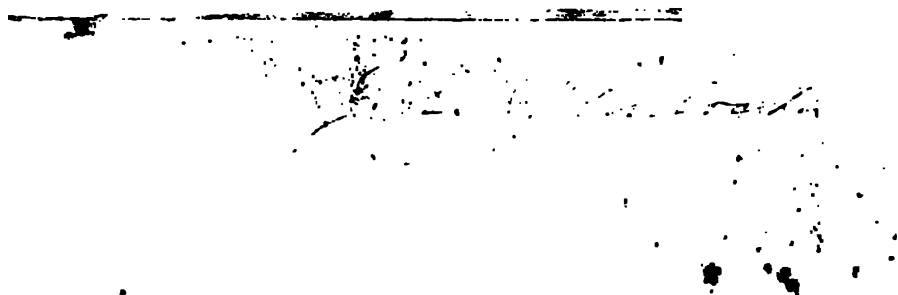


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THE
AMERICAN
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MARCH & JUNE, 1832.

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As the questions of Currency, and the renewal of the charter of the Bank of the United States, have been particularly discussed in this Review, we have appended to the present number the three Reports to the federal House of Representatives, from the committee whom that house appointed to inquire—whether the charter had been observed, and the general purposes of the institution attained. We wish to embody in our work the history of what is called the *Bank Question*, because it is curious and instructive in itself, and connected essentially with one of the most important branches of public economy. The report of Mr. Adams is eminently worthy of that form and vehicle, in which it may be consulted and preserved with most convenience. It has a durable, intrinsic value, as a masterly intellectual performance, rich in sound constitutional doctrines.

The article on the Tariff Question, in the present number, proceeds from a source of much authority, and conveys the principles and main reasonings of the Free Trade party. In the prospectus of our Review, we said—"As the work is not meant to be devoted to the views or favourite ends of any member or section of the Union, neither will it be to any exclusive or partial doctrines in any of the admitted subjects. The utmost latitude of opinion and discussion will be allowed, that is compatible with the limits, temper, and general merit to be required in each article." The practice of the editor has been conformable to these assurances. On the tariff subject particularly, he has inserted disquisitions from each of the adversary parties. Whoever considers the text of his prospectus, just quoted, must at once perceive, that he ought not to be held responsible for the opinions expressed in any article not written by himself. Indeed, a Review of this description, should be universally treated as impersonal. This is now the case in Europe. No one there thinks of charging editors with all the varieties of theory and decision to which critical journals are open, or singling out individuals for special liability and retaliation, as the authors of particular articles. Dissent, blame, remonstrance, are directed against the production and sentiments, which are believed to be exceptionable—not against persons.



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AMERICAN QUARTERLY REVIEW.

No. XXI.

MARCH, 1832.

ART. I.—*The Case of the Cherokee Indians against the State of Georgia.*—*Argued and determined at the Supreme Court of the United States, January Term, 1831.* By RICHARD PETERS, Counsellor at Law.

SINCE the organization of our government, few subjects have arisen which have agitated the public mind more violently or generally, than the controversy between the state of Georgia and the Cherokee Indians. The sufferings inflicted, and to be inflicted, upon this powerless and miserable race, their helpless condition and imploring appeals, have enlisted, in their behalf, the humanity and generous sympathy of the American people. Such a state of feeling is not very propitious to a candid consideration of the *law* and *reason* of the case, or to any discriminations which prevent or interrupt the protection and redress to which they seem to be entitled. It is difficult for any mind to abstract itself from the general character of a case, from its glaring and unquestionable oppression, to scan, with a cautious and cold examination, and limit, by technical rules, the practicability or expediency of the redress demanded for the injury. The heart springs, at once, from the wrong to the remedy, and passes, at a bound, over limits which the judgment must carefully mark and sacredly respect.

Actuated by feelings so natural and so honourable, the people of the United States, not immediately interested in the question between Georgia and the Indians, imagined that when the complaint of the latter was brought before the Supreme Court, an immediate and full protection would be extended to them ; and the disappointment, on the dismissal of the bill of complaint, was

in proportion to the confidence and zeal with which a different result was expected. The decision of the Court has been frequently assailed, and found few, if any, defenders, in the press. Being ourselves entirely satisfied that the Court could have rendered no other judgment, regarding the restraints imposed upon it by the Constitution, than that which was rendered ; that to have granted the prayer of the Cherokee petition would have been an usurpation of authority ; and would, consequently, have involved the Court in a conflict with a State, in which the judiciary would not have been justified by the Constitution or sustained by the other departments of the government, we will venture upon the task, probably an unwelcome one to many of our readers, of vindicating the decree of the Court, by which the bill was dismissed on the ground of a defect of jurisdiction.

It is not our intention to discuss the questions of right and wrong between Georgia and the Indians ; on the contrary, it is necessary to keep them out of view, or we shall not be in a humour to do justice to the Court, which has refused to consider the complaint on the one side or the defence on the other. The question we have to examine is between the Court and the Constitution ; between the judges and the people of the United States, to whom they must answer for every act of power they assume, and be able to adduce their warrant for it by the grant of the people. It is not enough to show that a wrong has been done, however atrocious ; it is not enough to exhibit a case of oppression, however audacious and cruel ; it must be further shown that the tribunal appealed to for protection and redress, has the right and power to afford them ; and any attempt on the part of the Court to reach beyond that right, would be infinitely more disastrous to us all, than all the sufferings which Georgia has inflicted, or can inflict, upon the Indians who have arraigned her at the bar of the Supreme Court. It was not for this Court to know any thing in the case but that which came to them by and through the law of the land ; it was not for them to indulge, however they might respect, the general feeling for "a people once numerous, powerful, and truly independent ; found by our ancestors in the quiet and uncontrouled possession of an ample domain, gradually sinking beneath our superior policy, our arts and our arms, who have yielded their lands by successive treaties, each of which contains a solemn guarantee of the residue, until they retain no more of their formerly extensive territory than is deemed necessary to their comfortable subsistence. To preserve this remnant the present application is made." Such is the touching and humane language of the Chief Justice, and he truly says—"if Courts were permitted to indulge their sympathies, a case better calculated to excite them can scarcely be imagined." We will not pursue this train of thought ; it may

unfit us for the sterner duty of inquiring into the power of the Court to entertain the complaint.

To such of our readers as have not given a professional or particular attention to this subject, we may be allowed to premise, that the powers of the Federal Court are not as extensive and universal as the demands of justice ; these powers are delegated and marked with great precision, and those to whom they are intrusted may not exercise any authority but in a strict pursuance of the terms and limits of their trust. This is what is meant by the jurisdiction of a Court, and is determined sometimes by the locality of the cause of action ; sometimes by the subject matter in dispute ; and sometimes by the character or description of the parties. If either of the parties be such as has not been subjected to the authority of the Court, it can pass no judgment on the case ; and before a Court looks into the merits of a cause, they must know that they have a right to decide it ; that the parties are bound to appear before them and to submit to their judgment. Thus, in the Cherokee case, it was the duty of the Court to see that they had *proper parties* before them ; such parties as they had a lawful authority over, and against whom they could rightfully enforce an obedience to their judgment.

To judge correctly of the opinion of the Supreme Court, it is necessary to know, with precision, what was the case before them, and what they have decided in relation to it? who was the party complaining? who was the party complained against? what was the cause of complaint? and what was the redress demanded or prayed for? We shall be more particular in our exposition of some of these points than would be necessary if we could suppose that the report of the case, at the head of this article, has been in the hands of our readers ; but we presume that very few of them, comparatively, have had the opportunity of perusing it. We shall nevertheless be brief in our explanations, giving no more than we deem to be indispensable to a clear understanding of our views of the main question.

We beg our readers to bear in mind this undeniable principle : that before the Court could attend to the complaint made by the Cherokees against the state of Georgia, it was their duty to inquire and to know that the Cherokees were such a party as might lawfully bring the state of Georgia into that Court to answer that complaint—that Georgia was bound to respond to it and to submit to the judgment of the Court upon it. If this were not so, it would be worse than idle for the Court to hear and examine the proofs in support of the complaint, or to form or express any opinion respecting it. It is equally clear, that the bill of complaint must set out a case over which the power or jurisdiction of the Court extends. We therefore first turn to the bill for this purpose. It is drawn with great ability and circumspection ;

and if it be rather more argumentative and eloquent than is usual in such documents, it may be excused by the extraordinary importance and interest of the case.

On the 27th of December, 1830, a notice was served on the Governor and Attorney General of Georgia, stating that on the 5th of March, 1831, the Cherokee nation would move the Supreme Court of the United States for "an injunction to restrain the state of Georgia, the governor, attorney general, judges, justices of the peace, sheriffs, deputy sheriffs, constables, and all other officers, agents and servants of that state, from executing and enforcing the laws of Georgia, or any of those laws, or serving process, or doing any thing towards the execution and enforcement of those laws, within the Cherokee territory, as designated by treaty between the United States and the Cherokee nation."

On the day named, the motion was made for an injunction, as stated in the notice. The state of Georgia did not appear. The Cherokee nation then presented to the Court their bill of complaint. In the outset, as an indispensable qualification in their right to maintain their suit against Georgia before that tribunal, they described themselves as "the Cherokee nation of Indians, *a foreign state*, not owing allegiance to the United States," &c. They allege that they "have composed a sovereign and independent state"—that in their territory they are *the sole and exclusive masters*, and governed, of right, by no other laws, usages and customs, but such as they have themselves thought proper to ordain and appoint." They further aver, that they have made various treaties with the United States, "in all of which the Cherokee nation and other nations have been recognised as sovereign and independent states, possessing both the exclusive right to their territory and the *exclusive right to self-government within that territory*."

The Bill, which is drawn with great force and skill, and, occasionally, makes distressing appeals to our feelings as men and as Christians, sets forth a detail of the aggressions of Georgia upon the rights of the complainants, and the cruel and exterminating consequences of her proceedings against them. This history of the wrongs and suffering of this wretched remnant of a free and powerful people, must rouse an universal sympathy, and every heart will respond to the sentiment of the Chief Justice, that "if Courts were permitted to indulge their sympathies, a case better calculated to excite them can scarcely be imagined." But we repeat, that in the question which we purpose to discuss, these sympathies must be discarded—a higher object will demand our attention; no less than the adherence to and preservation of the compact or constitution which binds these states together, by which *we* compose a "sovereign and independent state," and on

which depends our own internal peace; our prosperity as a nation; our happiness as a people. By that Constitution, the powers of the people of the United States have been granted to the federal government, to be exercised in the manner and under the limitations therein prescribed. These powers have been wisely distributed to various departments, each of which is strictly bound and confined to keep and observe the limits marked out for it—one step over these boundaries leads to the destruction of the whole, and is the highest and most dangerous crime that can be committed against the people of these United States. By the 2d section of the 3d article of the Constitution, the “judicial power of the United States” is precisely set out and circumscribed: and, among other things, it is declared to extend to cases “between a state or the citizens thereof, and *foreign states*, citizens or subjects.” A subsequent amendment of this article excludes from the judicial power any suit “prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state,”—but it remains as before in respect to cases between a state and a state—or a state and a foreign state. We come thus directly to the question decided by the Court in the Cherokee case. Have the complainants maintained their allegation that they are a foreign state? Is the Cherokee nation of Indians, or tribe of Indians, or by whatever name they may be called, a *state*—a *foreign state*, within the true sense and meaning of these words, as they are found in the Constitution of the United States?

It cannot be denied that the complainants must support their allegation in this particular; that they must show themselves to be a foreign state, when they come into a Court of the United States to prosecute a suit against one of those states; if they cannot do this, whatever their rights and injuries may be, they have applied for redress to a power incompetent to afford it. If they have, by the proofs exhibited to the Court, maintained their allegations of independence and sovereignty, then indeed have they been unjustly dismissed; on the other hand, if they have failed to sustain the rank and character in which only they could be received in that Court as a suitor against Georgia, it can avail nothing that they are cruelly injured and oppressed.

We do not deem it to be of any importance to the question which now occupies us, to look back into the history of the Indians, in their relations with Great Britain or her colonies, prior to our Revolution; but we cannot forget, that from the first settlement of this country by the whites, the aborigines have gradually receded from, or been stripped of, their power and rights as independent nations; and that every successive curtailment has led the way to future encroachments, and reduced them to a shadow of what they were. The view we shall first take of our

subject, will be confined within a narrow space; it is but a single question, and we hope we shall be able to give it a satisfactory solution. We shall proceed upon conceded or unquestioned grounds. To maintain the jurisdiction of the Court, the Cherokee nation, or tribe or people, must be a *state*, and a *foreign state*, in their relations with the United States. Our first inquiry must be, are they a state? Have they the qualifications, the rights and powers, which are essential in the composition of a state? If they shall be found wanting in these, or in any of them; if they are not a state, we need not answer what they are, nor examine into the nature of their novel, peculiar, and, we may say, anomalous relations with the United States. Whether those relations be strictly domestic and subservient, or partaking, in some degree, of a separate and independent community, still they do not fulfil the provision of our Constitution, giving jurisdiction to the Court, unless they show themselves to be *substantially* a state, in the acceptation of the term among civilized nations, as expounded by writers of received authority. Georgia is not bound, by her compact with the other states of our Union, to answer, before the Judiciary of the United States, to any adversary of less dignity than a state. With feelings of true sympathy for these injured and wasting remains of "a people once numerous, powerful and truly independent;" with no disposition to justify the conduct or favour the pretensions of Georgia towards them, we have read with deep attention the report of the case argued and decided at the last sitting of the Supreme Court; and have been brought to the conclusion, to our minds exceedingly clear, that those Cherokee Indians cannot, with any regard to reason or authority, be held to be a state; and that they are still more remote from the character of a foreign state, as understood by the Constitution, or as can be understood by any correct interpretation of the phrase. We shall submit to our readers the reasons for this opinion.

We believe it is not enough to constitute these Indians a *state*, to say that they do not owe "*allegiance* to the United States, nor to any state of this Union, nor to any other prince, potentate or state;"—this is simply to say that they are not citizens or subjects of the United States or any other potentate. Allegiance binds the subject to his king; the citizen to his state; it is the duty which the subject or citizen owes to his government; it is the distinction between an alien and a citizen or subject. But, assuredly, an individual, or a number of individuals, may owe no allegiance to any state, and nevertheless not constitute a state themselves; nor be so admitted and received in the family of nations. Chancellor Kent admits that the reduced tribes of Indians which are found in several of our states, are not *states*; and yet it cannot be pretended that they are citizens of the United States, or owe allegiance to them. Much less will it serve

the purpose of the Cherokees to say that they are a separate people; that the United States have made contracts or treaties with them; nor that they are entitled to certain rights, privileges and immunities, guarantied to them by those treaties, and more especially if they hold and enjoy these rights as privileges granted to them by these treaties, as boons accorded to them at the will and by the pleasure of another state, and not in virtue of their own independence and sovereignty. All this may be, and yet the Cherokees shall not be a *state*; a sovereign, independent body politic. We think we stand on conceded, or at least, unquestioned ground, when we assert that it is an indispensable requisite, an essential property in the composition of a state, that, in the language of Vattel, "it must *govern itself by its own authority and laws.*" If it be not so, it is a glaring contradiction to call it sovereign and independent,—and no nation that is a sovereign state could treat with it as an equal. We agree that the *form* of its government is nothing, provided that it really *governs itself*, and has the management of its affairs in its own hands; subject to its own authority and will. On the other hand, if it be really governed by another, the form or manner in which it is done is of no consequence: the bitter draught of subjection and dependence may be softened by kind words and formal phrases of respect, but sovereignty and independence are gone; the state is annihilated. This principle is so undeniable, that the effort of the complainants has been to bring themselves within it. In their bill of complaint, they aver, that on their territory they "have ever been, and still are, the sole and exclusive masters, and governed, of right, by no other laws, usages, customs, but such as they have *themselves thought proper to ordain and enact.*" Again, they allege, that in all their treaties with the United States, they "have been recognised as sovereign and independent states, possessing both the exclusive right to their territory, and the *exclusive right of self-government* within their territory." Mr. Sergeant, in his concise and lawyer-like argument, assumes as vital to his case, that by our treaties with these Indians, the right of *self-government* within their own territory, is guarantied to them, and that their right to make and execute their own laws is exclusive and absolute. Mr. Wirt admits that the Cherokee nation has stipulated that the United States may regulate its trade, but he adds, "not among the members of its own community;" a limitation of the power, by the by, altogether gratuitous on the part of Mr. Wirt, and not in the stipulation, or any part of the treaty by which the United States have acquired the right to regulate this trade.

Mr. Justice Thompson, in delivering his dissenting opinion, in which Justice Story concurs, agrees, that for any people or community to be a *state*, to be "really sovereign and independent,"

they must have the management of their affairs and interests; they must be *solely and exclusively governed by their own laws*, claiming and exercising an absolute sovereignty and *self-government* within their territory. In the opinion of Chancellor Kent, referred to by Mr. Wirt, and published with the report of the case, that learned jurist and excellent man,—now in the perfect use and enjoyment of his high faculties and extraordinary attainments, the law of New-York to the contrary notwithstanding,—finds it necessary, in his argument for the Cherokees, to take the same ground, not attempting to support the jurisdiction of the Court, unless he could establish the Cherokees as a state, tested by their right of self-government. After a cursory review of the treaties and other proceedings between the United States and the Indians, the Chancellor proceeds—"I have now alluded to the principal documentary testimony, and from which I conclude that the Cherokee nation of Indians are an independent people, placed under the protection of the United States, and *entitled to the privileges of self-government*, within their own territory; except so far as those rights have been expressly surrendered or modified by treaty."

Although not exactly in our course, we will here remark, that this exception is most significant, and in truth, makes the whole difficulty of the case. If the Chancellor had given us a more detailed examination of some of the treaties he "alluded to," and had particularly turned his powerful and scrutinizing intellect to certain prominent stipulations in them, we should have had the benefit of his judgment upon what we consider to be the very matter now in issue, that is, whether the exception does not overthrow the proposition; whether these rights of self-government, of making and executing their own laws, as a sovereign and independent state may of right do, have not been so largely and expressly surrendered or restricted by treaty, as to leave the Cherokees no longer a sovereign state; whether they have not, with or without their consent, by the will of a conqueror, or by a voluntary compact or treaty, been stripped of the attributes of sovereignty; of the rights of self-government; of the power of free legislation, even within their own territory. No notice is taken, by the learned Chancellor, of the article in the Treaty of Hopewell, which bears directly upon this question; and Judge Thompson has also passed it with the same silence and neglect. Mr. Wirt has endeavoured to avoid its force and effect upon his clients; with what success, we shall inquire hereafter. In the total disregard of this pregnant article by Judge Thompson, we see the disadvantage of an *ex parte* trial; of an argument at the bar of one side only. If Georgia had appeared and been heard by her Counsel, we cannot doubt that a more full, exact and satisfactory investigation of the facts and principles of the case;

of the treaties and other proceedings with these Indians, would have been had. A Court, however able, are always materially assisted in their deliberations by the discussions of the bar; and especially when their attention is required to so many, so various, and such difficult subjects, as press upon the Supreme Court in every hour of their sittings.

We return to our argument.—This intelligible and decisive test of sovereignty, the right of making and executing its own laws; in a word, of *self-government*, was not adopted by the Counsel of the Cherokees, without an unavoidable conviction that they could not refuse it. They could look to no writer of reputation or authority, that did not demand it of them; they could invoke no principle or practice of national law that would relieve them from it. Reason and common sense brought them, irresistibly, to the same result. It was therefore a matter of necessity and compulsion to admit the principle, and get rid of its effects as well as they could. We nevertheless think it incumbent upon us to refer to the written law on this subject, that it may be understood with precision; generalities will not satisfy us or our readers on such a question. That we may not be tedious, we shall confine ourselves to the doctrines of Vattel; because of his acknowledged high authority; because he has examined the question with great minuteness and discrimination; and because he is quoted and relied upon by the complainants. In the 1st Ch. of the 1st Bk. this author treats of the question what a nation or state is. His general proposition is, that “Every nation that *governs itself*, under what form soever, without any dependence on a foreign power, is a *sovereign state*.” Again he says, “it is sufficient if it be *really sovereign and independent*; that is, it must *govern itself by its own authority and laws*.” The author then proceeds to draw this general description of a state within more defined limits, by putting several cases in which there may be a restraint upon its sovereignty without destroying it; in which there may be some dependence on a foreign power, without annihilating it as a separate nation.—Thus it is with *unequal alliances*, in which “to the more powerful is given more honour, and to the weaker more assistance.” It is, however, added, that “the conditions of these unequal alliances may be infinitely varied. But whatever they are, *provided* the inferior ally reserves to itself its sovereignty, or *the right of governing its own body*, it ought to be considered as an independent state.” In like manner, if a weak state “places itself under the protection of a more powerful one, and from *gratitude* (we have not, and we deserve not much of this from the Indians,) enters into engagements to perform several offices equivalent to that protection, without *in the least* stripping itself of the right of *self-government and sovereignty*.” So of

tributary states; for, though "tribute paid to a foreign power diminishes the dignity of these states, yet it suffers their *sovereignty to subsist entire*." A weaker state may also be compelled to *do homage* to a stronger, and be nevertheless strictly sovereign, "when the homage leaves *independency and sovereign authority in the administration of the state*." Although we think there is nothing in history which affords an exact, or very similar prototype of the relation in which the Indians residing within the territory of the United States, by the mere title of occupancy, and under the restrictions, from time to time, imposed upon them, stand to the United States, yet the last case put by Vattel has a considerable resemblance to their condition in some important particulars.—He says, "But a people that has passed under the dominion of another, can no longer form a state. Such were the people and kingdoms which the Romans rendered subject to their empire; the most, even of those whom they honoured with the name of *friends and allies*, no longer formed states. *Within themselves they were governed by their own laws and magistrates; but without, they were in every thing obliged to follow the orders of Rome; they dared not of themselves make either war or an alliance, and could not treat with other nations.*"

Have our Indians any power of self-government beyond this? have they so much? We shall see how this is, when we turn to the treaties they have made, or *submitted to*, with the United States. If they have been forced upon them, what is it but conquest? If freely made, the contract is the more binding, with all its consequences.

Having, we believe, fixed, with all necessary precision, the principle by which it is to be ascertained whether the Cherokee nation or people are to be considered and received *as a state*, waiving the further qualification of *foreign*, we may come to the application of this principle to their actual condition, as they have made it, or as it has been made for them by the power of the United States. The inquiry is, whether they, of *right*, and not by the forbearance or courtesy of a superior power, "govern themselves without any dependence on a foreign power"—whether they are "really sovereign and independent," making and executing their own laws by their own authority. Whether they have "stripped themselves of the right of government and sovereignty," whether they have retained and now possess, "*independency and sovereign authority in the administration of the state*." And, lastly, whether, granting that they are permitted "within themselves to be governed by their own laws and magistrates," they are not, "without, obliged to follow the orders" of the United States. Can they make war and *alliances* at their pleasure? Can they treat with other nations, as their interests

or inclinations may dictate? If they are deprived of these rights and privileges, inherent in and inseparable from a sovereign state, it is needless to inquire how they have lost them. If they are gone, the sovereignty of the people is gone with them; they have forfeited or surrendered their rank in the family of nations; they are no longer a sovereign, independent state. They are no longer a *state*.

We have said that we will not recur to the treaties entered into with these people prior to our Revolution, but rest principally upon the first treaty made with them after that event. We mean the treaty of *Hopewell*, concluded on the 28th of November 1785, between the commissioners of the United States, and the head men and warriors of the Cherokees. We must beg leave, in the outset, to discard all the argument, if it may be so called, which has been copiously drawn from the supposed force of this word, *Treaty*; as if in itself it imports that the parties to it must necessarily be sovereign and independent. We are told, again and again, that the United States have made *treaties* with these nations; and it is inferred that we have thereby acknowledged or admitted them to be independent states. We see no such conclusion. We would look, not at the *name* of the instrument made and executed by the parties, but to its *contents* and *stipulations*, to fix its character and effects. So far from the proof of sovereignty, it may, of itself, be decisive of the contrary. What is a treaty? Is it any thing more than a negotiation; a compact; a contract? and may not the United States negotiate and contract with a party, who has no pretensions to sovereignty? Have they not done so repeatedly? Not only in its strict sense, but in common parlance, this term, treaty, means just what we have stated, and no more. We speak of a treaty of marriage; of being in treaty for a house, &c. This point is settled by the 2d article of the treaty of Holston, in 1796, in which the Cherokees stipulate that they "will not hold any treaty with any foreign power, individual state, or with *individuals* of any state." There is, clearly, nothing in the circumstance that the United States have made *treaties* with the Indians. We must see what they are before we come to any such conclusion. If, indeed, it be said, that we have made treaties with them, *as with a sovereign state*, we reply, that is the thing to be proved, and must be decided by the stipulations of the contract, and not by the name which may be given to it. We willingly submit ourselves to this test.

The treaty of Hopewell, to which we shall principally direct our attention, is truly, as Mr. Sergeant declares, "at the present moment in full force." Every article, stipulation, and word in it, binds the parties now as it did in November 1785. It has, in no respect, been changed, or modified, or explained to mean more or less than its language imports, by any subsequent treaty or

proceeding between the parties. It is to be taken and construed by the plain and received meaning of the *words* and *phrases* by which the parties have chosen to express their intentions, and by which alone we can know or decide what were their intentions. This treaty "was negotiated," says Mr. Wirt, "immediately at the close of a war;" and that the war was a disastrous one to the Indians; that its conclusion was, in every thing but form, a conquest, may be inferred from the conditions of the peace which was "given" to the enemy, and the humiliating terms on which it was granted. It is true, the eloquent advocate, with admirable spirit, asks, "is this a treaty marked with *traits* of conquest?" We reply, without hesitation, yes—with strong traits of conquest. But Mr. Wirt, flying from his courage to his ingenuity, proceeds to modify his interrogative challenge, to avoid the answer he must have foreseen. "I do not speak," says he, "of single phrases as they have been *rendered in English*." Of what then does he or can he speak? What does he know about the treaty but from its phrases as they are rendered in English? We confess that we do speak of *single phrases*, provided they contain a complete stipulation and express a full meaning; and we do further speak of them, and understand them, and insist upon them, as they have been rendered in English, because we know nothing of them in any other language, or by any other means. We proceed to examine this treaty, and to give it the interpretation which properly belongs to the phrases by which it is conveyed to our understanding.

The introductory paragraph declares that the commissioners of the United States *give peace* to all the Cherokees, and *receive* them into the favour and protection of the United States of America, on the following *conditions*. It will be difficult to find such a beginning to a treaty between two sovereign and independent states. But this is thought to be too nice; and mere verbal criticism. Let us see if the threatening rigour of the front, will be softened by the expression of the features; if the conditions thus sternly exacted are more favourable to the sovereignty of the Cherokees. They stipulate that they will be "under the protection of the United States,"—is this all? "and of no other sovereign whatsoever." This is a pretty considerable curtailment of sovereignty, which always claims a right to make alliances, and treat with other nations as their interests or inclinations may require. To remove any doubt upon this point, it is stipulated, in the subsequent treaty of Holston, that the Cherokees shall "not hold any treaty with any foreign power,"—nor even with any "individual."

There follows, in the treaty of Hopewell, an allotment to the Cherokees of their hunting grounds; in which they are *permitted* to have nothing but a mere right of occupancy; and in a sort

of cruel mockery, it is declared, that the United States solemnly guaranty to the Cherokee nation all *their lands* not thereby ceded. Not an acre, not a foot of land belongs to them in the proper sense of ownership. They are allowed the occupancy of a described portion of their lands, by the *grant of the United States*; but beyond that use they have no right or property whatever in them. The fee, the real ownership of the soil, is in the United States; and so admitted to be by this treaty of peace. Is there no trait of conquest in this? If these Indians were offered millions for what is called *their lands*, they could not part with an acre; not even with their acknowledged right of occupancy; their guarantied possessions. Is it possible to imagine that a sovereign and independent nation holds its country by such a tenure? a sovereign people without a foot of territory! an independent state which has nothing but an untransferrable occupancy in the soil, on which and by which they live; where their bones are to be buried; although notwithstanding the solemn guaranty, neither the nation, nor an individual in it, is the true owner of ground enough for a grave. Was such a sovereign state ever before heard of? It is too ridiculous even for a jest. There is much reliance to be placed on the common sense and general opinion of men on any subject. We ask, if the question were to be put to the people of the United States, whether they have ever considered, or do now consider, the Indian tribes who inhabit our territories, and hunt and wander there, as sovereign states; as foreign, sovereign states; on a footing, in this respect, with England, or France, or Russia, or in any conceivable meaning of the terms; we believe the interrogator would seldom receive a civil answer to a question so preposterous on its face.

We proceed with the treaty, and every step brings us more certainly to the conviction, that by its provisions and stipulations, in the only sense that can rationally be given to them, the Cherokees have abandoned, in exchange for the peace and protection afforded to them, every attribute of sovereignty; every pretension to the rank and character of an independent state. We call the attention of our readers to the 9th article of the treaty of Hopewell, and to every word of it. It runs thus. "For the benefit and comfort of the Indians, and for the prevention of injuries or oppressions on the part of citizens *or Indians*, the United States, in Congress assembled, shall have the *sole and exclusive* right of regulating the trade with the Indians, and *managing all their affairs in such manner as they shall think proper.*" Whatever may be the declared reason, motive, or object of these stipulations; whether for the benefit and protection of the Indians, or for the aggrandizement of their conquerors, the effect of them upon the independence of the Cherokees must be the same. If they have found it unavoidable to surrender

their sovereignty ; to break up as a *state* "for the prevention of injuries and oppressions" from any quarter, the reason may be good or bad ; of that they were to judge ; but if they have made the sacrifice, or have been sacrificed, under the belief or the pretence that it was for their "benefit and comfort ;" the deed is done, and they must abide by it. In our view, this article of the treaty of 1785, were there nothing more, is absolutely and irresistibly decisive of the whole question ; and unless it can be removed or explained away, and shall be found to mean nothing, or not to mean what it purports to mean, it is utterly impossible, after the ratification of that treaty, to consider the Cherokee Indians as holding a place in the society of nations, as a sovereign state ; much less as a state foreign to the United States. The Congress of the United States have the sole and exclusive right, (even of the Cherokees themselves) of regulating the trade with the Indians. Nor does it stop here ; Congress are not only to regulate the trade, but to *manage* "*all their affairs* in such manner as *they shall think proper*." Can any surrender of self-government be more unlimited—more absolute—more universal ? Is there a vestige, a shadow of sovereignty left ? Is there any portion of self-government ; any power of making laws for themselves, by virtue of their own authority, remaining in these people ? It is contended by Mr. Wirt that the regulation of the trade is intended only to be applied to the trade between them and our citizens. How is this consistent with the declared object of the stipulation, that it is to prevent injuries and oppressions on the part of the citizens or *Indians* ? But we are willing to concede this ; and rest on the concluding clause of the stipulation. And we would here ask, what was the intention of conferring on them the privilege "to send a deputy of their own choice to Congress?" It was, because having assumed the right of managing all their affairs ; of legislating for them as we do for one of our territories, we were willing to hear them, by a deputy or delegate, as we do a territory. Whatever the reason of this provision may have been, it is an extraordinary and unprecedented representation of a *foreign state* on the floor of Congress. But we mainly rely upon the stipulations above recited, of the 9th article ; and do insist, that while they remain in force, *as they are written and recorded*, it is impossible, by any effort of ingenuity, to hold these Indians as a sovereign, foreign state ; we go further—as a *state*.

We will briefly, but with candour, examine the arguments offered by Mr. Wirt, to turn aside the pressure of this article on his case. If he has failed to overcome this obstacle to victory, his march is arrested, and his cause hopeless. The plain and obvious meaning of the language of the article is clearly against him. His attempt has, therefore, been, by ingenious reasoning ; by

forced constructions ; by a reference to other documents, to narrow down the interpretation of the expressions of the treaty—to modify and reduce them, so as to bring them within the scope of his argument. The eloquent, but hard pressed advocate says, that these words, “and of managing all their affairs,” are to be compared with the introductory part of the article. We have done this already ; and think it manifest that nothing can be gained for the argument by it. We are also required to compare them “with the other stipulations of the treaty ; with the practical exposition given to the article by Congress ; and with the whole train of subsequent treaties made with the same nation down to the year 1829 ; and it will be manifest that those words, *however general*, were not intended or understood.” Now I pray the reader to mark the conclusion of this Briareus-like sentence ; of these many-headed premises. What will be manifest when we have done all that is required of us ? That these general words “were not intended or understood as surrendering the nation into the hands of Congress in the light of a conquered people, to deal with them as they pleased.” Is this the question between us ? Is this the point for which we are contending ? We apprehend not ; but it is, whether by this stipulation the Cherokees have not so far surrendered the right of self-government ; of regulating their affairs by their own authority and laws ; that they can no longer be held as an independent state. We have compared these general words with the other stipulations of the treaty, and have found nothing in them incongruous with the meaning which properly belongs to the general words ; if the ingenious counsellor perceived any such incongruity, he should have pointed it out. In like manner, we think it was incumbent on him to show in what parts, and to what extent, the practical exposition of Congress, and the whole train of subsequent treaties, have modified this article in the manner he contends for. The allegation is broad and confident enough, but stands self supported, and unaccompanied by any proof or illustration whatever. As to the effect of subsequent treaties upon the condition of the Indians, we would make this remark—if by the wars between the United States and the Cherokees, *before the adoption of our Constitution*, by the consequences of those wars, and the termination of hostilities by treaties of peace, *given to them*, the stipulations of which were such as to deprive them of the indispensable powers of an independent people, it cannot be pretended that any recognitions, express or implied, by the Executive of the Federal Government, or of all its departments, could bring the Cherokees back to the rank and rights of a sovereign state, in derogation or diminution of the sovereign territorial rights of a state of the Union.

It is asked by Mr. Wirt, and the argument involved in the

question is used with considerable dexterity, "to what branch of our government does it belong, under our Constitution, to decide the question, of *foreign state, or not a foreign state?*" He answers, that it has been repeatedly decided by this Court, "that it belongs exclusively to that branch of the government to which the conduct of our foreign relations has been intrusted by the Constitution—the Executive branch." Certainly this is true in regard to foreign nations or states, in the ordinary meaning of the terms, and in the cases to which the Court has applied the doctrine, that is, to states which are external to the United States, and have no dependence or relations with them other than such as are usual among independent nations. Such are the instances, put by Mr. Wirt, of "the revolutions in the Colonies of France and Spain," in which it was well decided, that, however severed from the mother country the revolted colonies might seem to be, or were, in fact, "this Court could recognise none of these governments as *states*, until they had been recognised as such by our own Executive, to whom the question exclusively belongs." We cannot, however, go on with Mr. Wirt to the conclusion of his reasoning, that "it follows, by necessary consequence, that this Court cannot refuse to *recognise*, as *foreign states*, those whom our Executive has recognised as such." Adhering to our opinion, that the treaties made by the United States with the Indians, which are the recognitions relied upon, do not recognise them as foreign states, but the contrary; we protest altogether against the conclusion to which Mr. Wirt has brought his argument, unless it be limited to cases similar in their character and circumstances to those he has cited, that is, to a people, or country, foreign, in every sense, to the United States; external to our territory, and having nothing in common with us that they have not, or might not have, with all the world. But assuredly no recognition by our Federal Executive, can raise up a foreign, independent state in the heart of one of the states of the Union, either "by making a public treaty with them," or by any other means. It would be very extraordinary, if the Executive, or the whole Federal Government, by making a treaty with a German county, or an Irish county—and both exist in Pennsylvania—or any other county or district, could thereby create a foreign, independent state, and make it obligatory upon the Courts of the United States, to recognise them as such, and give them all the rights and immunities of an independent people. Yet such is the argument on the unqualified manner in which it is urged upon us. Has such a case, or any case of a people residing *on* and *within* the territory of a state of our Union, any resemblance to a revolting colony, which has been able to shake off the dominion of the mother country; and become, to every intent and purpose, separate and independent, in the rights of self-government, in

the soil they occupy, and in every attribute of a sovereign nation? Are the obligations and duties, the rights and powers, which subsist between the United States and the several states which compose them, defined by the same law, with those which exist between the United States and the states or governments of Europe? In the latter case, our Courts may look to the Federal Executive for their guide; but in the other, we trust, they will turn to the Constitution for instruction. Every state has a sovereign right of legislation over its own territory, and all within it, except so far as it has been surrendered or limited by the grants of power, in virtue of the adoption of the Federal Constitution, or by some other act of the state; and no recognition or act of the Federal Executive can determine or affect the condition of a people inhabiting the territory of a state, unless the right to do so be found in the Constitution of the United States, or in some act or proceeding of the state. If, therefore, the Executive, without a right derived from these sources, should, in the most express and unequivocal manner, recognise, as independent and foreign, any class or portion of the people residing within the territory of a state, the Court, so far from being bound to follow and adopt such a recognition, would find it to be their solemn duty to reject and annul it, and protect the state against the Executive encroachment upon its rights. In questions between the government of the United States, and that of France or Spain, our Courts will look only to their own government; they have nothing to do with any other; they owe no responsibility to any other: but of the question between the Federal and a State government, the case is very different; both have a common instrument and compact to refer to, which binds both, and secures to each its stipulated and proper rights and protection.

An expectation seems to be indulged, more than once, that the effect of the stipulations of this 9th article may be destroyed or weakened by the circumstance that it is given to us "in English words;"—and Mr. Wirt assures us that "we cannot know how they could have been interpreted by the Cherokees." We wish that this insinuation or argument had been more clearly and decidedly expressed. Are we to take it as an intimation that the Cherokees have been duped and defrauded by the use of terms which were not fully and honestly interpreted to them; as fully and honestly as any other part of the treaty? This certainly goes to the very root and essence of the obligation of the contract. Although it has been in operation and force for more than forty-five years, it has never been thus impeached before. The suggestion is new in relation to this or any other Indian treaty. It has always been considered to express truly the contract of the parties, as intended and understood by both, according to the import of the "English words" by which it is expressed; and for

nothing more or less. We protest against this sort of argument, as altogether unsound and inadmissible. It is too much to say that "it is impossible that the Cherokees could have understood these words as giving Congress any right to interfere with that independence and sovereignty which were so dear to them ;" provided that "these words" have that consequence and effect ; if they have not, we have nothing to dispute about. If we are not to collect the intention and understanding of the parties to this contract according to the proper and ordinary sense of the words used by them to express and record their meaning, the whole treaty, and not this article alone, is thrown into confusion and uncertainty ;—we cannot say what it was then, what it is now, or may be construed to be hereafter. Even now, in the multiplicity of Mr. Wirt's objections, limitations, and references, we cannot distinctly discern what meaning or interpretation he would give to these "English words." He is copious enough in his endeavours to show what they do not mean ; but is wholly deficient in informing us what we may understand by them. We shall think ourselves safe, very safe, in standing by this treaty, and all and every of its articles and stipulations, as they are written, and with the sense and interpretation of the language in which they are written. We may be allowed to add, that after Mr. Wirt has applied, so diligently, the pruning knife of construction to this obnoxious phrase ; after he has pressed and screwed it to its smallest possible dimensions, by comparisons, analogies, probabilities, and possibilities, has he been able to bring it down so low in its meaning, that it leaves the Cherokees invested with the attributes of sovereignty, and the rights of an independent state? Are they not yet too bare of power ; too much restricted in their self-government, to be entitled to that character? Are they in a better condition ; do they stand higher than the people and kingdoms which the Romans subjected ; whom they honoured with the *names* of friends and allies, but who "no longer formed states?" If we grant all that seems to be asked for them, that "within themselves they are governed by their own laws and magistrates ; but *without* they are obliged to follow the orders of" the United States—"they dare not make either war or alliances, and cannot treat with other nations or individuals." As to making alliances, and treating with other nations, they are expressly surrendered by subsequent treaties, if not by these "general words."

Having presented to our readers what we conceive to be the most important views of this case, we hasten to conclude our remarks. Much reliance has been placed on the allegation that the Cherokees have the right of making war and peace ; and that war has been waged against them by the United States. In the 8th article of the treaty of Hopewell, it is provided, that there shall

be no retaliation, "except when there is a manifest violation of the treaty; and that then it shall be preceded first by a demand of justice, and if refused, then by a *declaration of hostilities*." This is all that is to be found to sustain the sovereign right contended for of making war. Have they ever made a declaration of hostilities against us? But we have made war, or prosecuted hostilities upon them. And how has this been done? Has it been as we would have done, and must have done, against a sovereign, independent, foreign, state; according to the forms and usages among civilized, independent nations? Do we publish a manifesto to justify ourselves to the world; or issue proclamations to give notice of the intended hostilities? These forms may not be obligatory upon us, or suitable to the case. What then do we say to the law of our Constitution? If we look there, *Congress* alone has the right and power to *declare war*. Is this thought necessary in regard to hostilities against the Indians? Never. But whenever it is conceived by the Executive that they have offended or violated a treaty, so as to merit chastisement, he orders a military force to march upon them, and slaughter them at pleasure. But we also make peace with them. And what is this peace? we agree to stop cutting their throats, and burning their towns and crops, on condition that they will cede to us a few millions of acres, to which we have taken a fancy. This is generally the beginning and end of an Indian war. And this is called making war and peace with them as a sovereign, independent nation. If they are so, our Constitution has been fatally violated by every war we have had with them. As to the provision in the treaty, that they may declare hostilities, in certain cases, against us, what is it but to admit that they are not citizens of the United States; that they owe us no allegiance, and cannot, for such hostilities, be held and dealt with as rebels and traitors. The reduced tribes mentioned by Judge Kent have the same immunity, although it is conceded that they are not states.

We will barely recall the recollection of our readers, without dilating upon it, to the argument of the Chief Justice upon the clause in the Constitution, which gives power to Congress to regulate commerce with foreign nations, *and with the Indian tribes*; drawing a marked distinction between them; and dealing in mere surplusage, if the Indian tribes were included in the description of foreign nations. The attempts to shake off the weight of this argument, appear to us to have wholly failed.

We pursue the subject no further.—We are unshaken in the opinion, that the treaty of Hopewell put an end to Cherokee sovereignty forever, and blotted them out from the list of states; and subsequent treaties have but made them more insignificant. We cannot consider them as a state—as a foreign state, entitled, under our Constitution, to entertain a suit in the Courts of the

United States against the state of Georgia. If this result of our investigation may be thought to be more doubtful than we can imagine it to be, we think the Court was right in its decision. The jurisdiction in such a case ought to be clear before it is assumed; where it may well be questioned, the Court should abstain from it. In this case we would not adopt the maxim—*Boni iudicis est, ampliari jurisdictionem*,” but rather submit to the less questionable principle—“*Cujus est dare, illius est disponere*.” A Court of the United States should have a clear authority before it undertakes to obstruct and interfere with the legislative authority of a state, within its own territory. The right of the Court to control such an authority is a high power; but if it expects obedience to its commands, it must be scrupulous never to step an inch beyond its constitutional bounds; its delegated authority. Within these, every state has consented to be controlled by the judiciary; and is bound to yield a submission to it; but no further. On the other hand, while the judiciary keeps within these limits, it should firmly and fearlessly assert its rights, regardless of the pride or passions of the state who may be affected by it.

We are not unmindful of our promise, to direct our discussion only to the technical question of jurisdiction decided by the Court; but, that the whole case may be in the view of our readers, we will give them, in a summary way, the leading causes of complaint, on the part of the Cherokees, which, whether they should be visited on the state of Georgia, or on the government of the United States, present a most afflicting picture of injustice and distress.

It cannot be questioned, that, before the arrival of the Europeans on this continent, the Cherokees, with the other Indian nations who inhabited it, were the sole owners of the soil which they severally occupied. They had all the title to the land which, in that state of the country, could exist in any body or community. Whether, after the predominancy of the white population, this title became reduced to a mere right of possession, by the arbitrary, but irresistible policy of civilized nations, or by virtue of contracts and treaties between the aborigines and their new neighbours, is no longer of any importance. That the Indian rights in the soil, we mean the rights of property, are thus reduced, at least within the United States, must be taken to be settled and determined by the decisions of the Supreme Court. This, however, by no means implies a right of jurisdiction over them, a right to govern them, to make laws for them, or to execute our laws within their territory, or the territory to which they still retain the title of occupancy or possession. If they have lost the authority of self-government, and it has become vested in another power, as we have endeavoured to show, it is not be-

cause of their restricted or imperfect right in the land they occupy, but by virtue of their own voluntary grants and acts. Their right of a clear and *undisturbed possession* is unquestionable; and, as the Chief Justice says, has been "heretofore unquestioned." We agree with Mr. Justice Thompson:—"that they are entitled to such occupancy so long as they choose quietly and peaceably to remain upon the land, cannot be questioned." It is equally true that the United States, by every form of promise, contract, or treaty; by the most unequivocal stipulations made with the Cherokees, and for which a rich and adequate consideration was given by the Cherokees, have pledged their faith to guaranty, to protect, to secure to the Cherokees, the enjoyment of this possession against all invasions, and every invader, without reserve or limitation, whether the disturber shall be a lawless individual, or a company of such individuals; a foreign state or a state of our Union. The Indians have consented to draw themselves within certain described boundaries; have ceded to the United States all the land beyond them, and we have assumed their entire protection within them. If the United States have undertaken more than they have the power to perform; if the rights of Georgia are, in this respect, paramount to those of the United States, and Georgia refuses to yield them, it must be confessed that the situation of the Federal Government is a very novel and embarrassing one. If Georgia had and has the jurisdiction or right of legislation over the territory occupied by the Cherokees, being within her chartered limits, and she has never ceded and will not cede this right, and has never in any manner authorized the United States to relinquish it, a shocking, but unintended injury has been done, which the United States are bound to repair to the whole extent of their power and resources, and which, in a similar case, an individual would be compelled to repair by the laws and justice of the country. This can be done only by making such arrangements with Georgia as shall induce her to affirm the engagements of the United States, or by making such compensation, for the breach of them, to the Indians, as *they shall deem to be satisfactory and are willing to receive*. Any compulsion or force; any oppression or violence practised, or allowed to be practised upon them, will be a scandalous violation of the public faith, a deep dishonour to our name and country. The difficulty has been created by the acts and undertakings of the United States, and by the confidence reposed in them by the Cherokees, who, therefore, must not be the victims, if the United States have miscalculated their power, and Georgia shall refuse to submit to it. If, to use a legal phrase, a specific performance of our contract has become impossible by unforeseen circumstances, the substitute or commutation should repair the breach as entirely and effectually as is practicable; and this should

be regulated, not by the will and power of the wrong doer, but by the estimate and wishes of the injured party, unless they would go from one impossible thing to another.

The complaints of the Cherokees are distinctly set forth in their bill. They assert their independence and sovereignty within the boundaries adjusted between them and the United States, upon which we have already offered our remarks. They represent that the United States, from their earliest intercourse with them, evinced a desire to induce them to relinquish their original hunter state, and to become herdsmen and cultivators. Many of them were desirous to fulfil these humane intentions, and, in 1808, they sent a deputation to Washington, to inform the President of their wish "to engage in the pursuits of civilized life, *in the country they then occupied*;" and also to inform him, that a part of their nation would not unite with them in this effort, and to desire a division between the upper and the lower towns. The deputies from the lower towns, who preferred to remain in the hunter state, agreed to this division, and requested to remove across the Mississippi river, on some vacant lands of the United States. These propositions were favourably received by the President, who answered the deputies, "that those who chose to remain for the purpose of engaging in the pursuits of agricultural and civilized life, *in the country they then occupied*, might be assured of the *patronage, aid, and good neighbourhood of the United States*." In consequence of this arrangement, a part of these Indians did remove across the Mississippi, and the larger portion remained to engage in the pursuits of agriculture and civilized life. A formal treaty was afterwards made "for the purpose of carrying into effect the before recited promises with good faith;" and by this treaty, the Cherokees made a large cession of lands to the United States, in return for their promised "patronage, aid, and good neighbourhood," and on the faith that the stipulations made on the part of the United States would be fully and faithfully performed. With these bright prospects and powerful support, these Cherokees entered zealously upon the business of agriculture and the arts, and establishments of civilization. They founded schools and provided funds to maintain them; they made a constitution or form of government; a code of laws, civil and criminal; erected courts to administer their laws, and organized an executive department. They have churches in which the Christian religion is taught, and, finally, they say, "they have abandoned the hunter state, and become agriculturists, mechanics, and herdsmen;" and that "they have observed, with fidelity, all their engagements with the United States."

It is impossible to view this picture of the change in the condition of a wild and savage race, to such comforts and blessings,

without the deepest admiration and interest, and the most painful regret, if, by any circumstance, their progress shall be interrupted, their great design defeated, at the very moment of its complete accomplishment. With a mixture of becoming candour and manly confidence, they confess that they do not mean to allege that they have all become perfectly civilized, nor all public professors of Christianity, nor all agriculturists; but in all these respects they are willing that a comparison shall be instituted between them and their white brethren around them, and they are very little apprehensive of suffering by such comparison. They have a printing-press, and the publications that have repeatedly issued from it, particularly on the subject of their injuries, would be honourable both in style, sentiment, and argument, to the intellect and education of any race of men. "We asked them to become civilized, and they became so. They assumed our dress, copied our names, pursued our course of education, adopted our form of government, embraced our religion, and have been proud to imitate us in every thing in their power. They have even adopted our resentments."

Such being the situation of the Cherokees, and their rights and securities under treaties made with the United States, for which they gave full consideration by large cessions of valuable lands, no question of doubt or difficulty could have arisen in the case, if there were no parties in it but the United States and the Cherokees. But another party appears, claiming rights altogether inconsistent with, and destructive of, the contracts and treaties we have alluded to. It is against the pretensions and proceedings of Georgia that the complaint is directed; and the complainants come into a Court of the United States, to claim the protection and aid guarantied to them by the United States.

For many years the Cherokees held and enjoyed the territory assigned to them without molestation. They went on with their improvements in their own way, founding their institutions, making and executing their own laws, civil and criminal, without question or interruption from any quarter. They advanced rapidly in their scheme of civilization; the rights of person and property were understood and secured; education was encouraged; in short, every thing promised a full success to the humane and interesting effort to convert a lawless and savage people to the condition of an intelligent, instructed, and well-organized society. Such were the honourable and useful pursuits of this humble and peaceable community, when Georgia broke in upon them with claims and aggressions which must prostrate all their plans of improvement, and annihilate the rights they had deemed to be sacred and inviolable. Absolutely impotent themselves against such a power, what could they do but fly to the powerful friend whose aid and protection they had purchased at a high price,

and which was promised and plighted to them, again and again, in the most solemn forms of contract. "They have," says the Chief Justice, "yielded their lands by successive treaties, each of which contains a solemn guarantee of the residue."

The first act of Georgia complained of, was passed in December 1828, and a second in December 1829; the titles and objects of which were, to annex the territory lying within the chartered limits of Georgia, in the occupancy of the Cherokee Indians, to certain designated counties of the state; to extend the laws of the state over the same; to annul all the laws and ordinances made by the Cherokee nation, and to provide for the compensation of officers serving legal processes in the said territory, and to regulate the testimony of Indians. These acts contain various enactments alike destructive to the Cherokees as a nation, and degrading to them as men; stripping them at once of all their national rights under the laws and treaties of the United States, and of all consideration and respect as freemen. No Indian shall be deemed a competent witness in any Court of Georgia, in which a white person may be a party, except such white person resides in their nation. Thus, not only their property but their persons, to the whole extent of murder and robbery, are laid bare, protected neither by their own laws, which are annulled, nor by the laws of Georgia, unless a white witness can testify to them. What is this but the most abject degradation? It is truly and forcibly said, by Mr. Sergeant, that these violations of the rights of the Cherokees go "to the whole extent of their total destruction and extinction. The legislature of Georgia proposes to annihilate them, as its end and aim. The laws of Georgia profess no other object; they are effectually conceived for this. If those laws be fully executed, there will be no Cherokee boundary, no Cherokee nation, no Cherokee lands, no Cherokee treaties, no laws of the United States in the case. They will be swept out of existence together, leaving nothing but the monuments in our history of the enormous injustice that has been practised towards a friendly nation."

In the year 1830, Georgia moved on, with unrelenting sternness and extraordinary rapidity, in her design to force the Cherokees from their territory, and to appropriate it to her own uses, assuming as full and absolute a jurisdiction over it as she enjoyed over any other part of the state. She authorized the survey and disposition of the lands; her governor was empowered to call out a military force to protect the surveyors; to punish any person who should interfere with them; saving only the Indian improvements, and lots on which they were situated. The lands, when thus laid off into districts and sections, are to be *distributed by lottery among the people of Georgia*. Various other acts of the legislature were passed, all of the same character and tendency, increasing in violence and injustice. Among

others, one to authorize the Governor to take possession of the gold, silver, and other mines, lying and being in that section of the limits of Georgia, *commonly called* the Cherokee country, and for punishing any person who may be found trespassing upon the mines.

Most assuredly, a more entire annihilation of every right, and shadow of right, in the Cherokees, to the territory, the occupancy and use of which have been guarantied to them by the United States, cannot be conceived. Nothing remains for them but their miserable, impoverished, and destitute persons, beset by penalties created by Georgia laws, while the same laws afford them no protection against the most atrocious wrongs, unless they can be proved by a white witness.

We shall not have a full view of this case, without noticing a circumstance much relied upon by the complainants. In 1802, Georgia ceded to the United States a large body of lands, alleged to be within her chartered limits, upon several conditions, one of which was, that the United States would extinguish, for the use of Georgia, the Indian title to the lands within her remaining limits, "as soon as it could be done peaceably and on reasonable terms;"—the state of Georgia, say the Cherokees, "thus admitting that the Indian title was a subsisting title, and that it could be properly extinguished, only *peaceably* and on reasonable terms, *by the United States.*" This argument would lead us to the conclusion that Georgia has agreed not to interfere with the Indian title herself, but to wait for its extinguishment on the pleasure of the United States; and that the United States have agreed not to extinguish it until it can be done peaceably and on reasonable terms. The Cherokees allege that Presidents Monroe and Adams, on this construction of the agreement with Georgia, refused to apply force to the complainants, or to permit it to be applied by Georgia; and avowed their determination to protect them by force if necessary, and to fulfil the guarantee given by the treaties. They further state, that they "have applied to the present Chief Magistrate of the United States, to make good the protection and guarantee pledged to them by treaty with the United States, but, to their great surprise and regret, have received for answer from the Chief Magistrate, that the President of the United States has no power to protect them against the laws of Georgia."

There is a part of the proceedings of the United States with these Indians and with Georgia, which, we confess, we are unable to explain or understand. The Cherokees aver, that from their earliest intercourse with the United States, the latter have evinced an anxious desire to lead them to a greater degree of civilization, and to induce them to become herdsmen and cultivators. We have seen, that in 1808 measures were taken by the

President to carry this purpose into effect, by removing a part of the Cherokees, opposed to the design, over the Mississippi, and promising his patronage and aid to those who should remain. The obvious consequence of this change in their mode of living, would be the recognition of the rights of separate property ; the enclosing and cultivation of the land in convenient parcels ; the erection of dwellings, towns, &c. ; the encouragement of trade ; of the mechanic arts ; in short, of every thing which creates in every individual a deep and permanent interest in the soil, and fixes a connexion between the country and its inhabitants of the most dear and indissoluble character ; such a one as neither party could anticipate would be voluntarily relinquished. How shall we reconcile such designs and proceedings with the compact made in 1802 by the United States with Georgia, by which the latter ceded to the former a large body of lands, upon a condition that the United States would extinguish, for the use of Georgia, the Indian title to the lands within her remaining limits, the same lands the Cherokees were invited and urged to cultivate and improve by all the knowledge and arts of civilized man ? There is here an implied undertaking with Georgia, that the Indian title, or right of occupancy, should be extinguished, and the territory delivered over to Georgia, at some time and in some way, but in a peaceable manner. Six years after making this stipulation, *the same President* of the United States makes arrangements with the Indians inhabiting this territory, to induce them to remain upon it in perpetuity, and to place them in a situation which would render it morally impossible that they should ever consent to surrender their title to it, and abandon their possession ; and, of course, which would put it out of the power of the United States to perform the condition on which they received the lands ceded by Georgia. If in 1808 the President had recollected his engagements with Georgia in 1802, it may be, that the whole Cherokee nation might then have been induced, "peaceably and on reasonable terms," to remove over the Mississippi.

The complainants reply with much acumen to the late act of Congress, "to provide for an exchange of lands with the Indians residing in any of the states or territories, and for their removal west of the Mississippi." They allege, that "it would be enough for them to say, that they do not choose to make the proposed exchange;" but they add, that as the proposition has been held up as an evidence of great humanity, to save them from the extinction they are fated to experience from the approach of the "good neighbourhood" of white population, and they do not wish to be considered to be blind to their own interests, or so contumacious as to resist them, through mere obstinacy, they proceed to state their motives for declining the offer. They draw a lively and interesting picture of their present happy condition,

and happier prospects, in their improvements; their buildings, public and private; their cultivated fields; their salubrious climate; their convenient commerce and intercourse, suited to a civilized people, composed of farmers, planters, mechanics and herdsmen. They dwell upon the schools for the education of their children, furnished with instructors from the United States; upon their places of worship supplied with pastors in the same manner, and they plead, with a pathetic simplicity, that "they have learned to relish the manners and pursuits of civilized life." They then touch a more noble and affecting theme. They say that their country is "endeared to them by the great and multifarious benefits which they have already received, and are still receiving, from it; is consecrated in their affections, from having been immemorially the property and residence of their ancestors, and from containing now the graves of their fathers, relatives and friends." They contrast this state of existence with that which must await them in the country to which it is proposed to remove them. The soil is said to be barren and the climate sickly—destitute, for the greater part, of wood and water, and far removed from all intercourse with the ports and markets of the United States. "But," say they, "the worst feature of the country is yet to come. It is surrounded and infested with fierce and powerful nations of Indians, in the wildest state of savage barbarity, who claim that country as their own, and wage a war of extermination on all new tribes who enter it, and whom they consider as intruders." They conclude this appalling prospect thus—"Such is the region of country to which these complainants have been invited, and such the *repose and blessings* which they have to anticipate from such an exchange. The only consequences which they could anticipate from it, as inevitable, would be, first, their relapse into all the habits of savage life in their own defence; and finally and speedily, the dissolution and extinguishment of their whole nation."

Such of our readers as have not had the opportunity of perusing the printed report of this case, will find the summary we have given of it interesting and necessary to the understanding of the matters in issue; and we hope it will not be found tedious by those who have seen it more at large. Every one will now perceive, that two things which have been so frequently blended and confounded, are essentially different; that is, the jurisdiction of the Court, and the justice of the complaints of the Cherokees. The first is governed by limits and restraints imposed upon it by the Constitution; the latter depends upon the eternal principles of right and wrong between man and man. The judges may feel and acknowledge the barbarity of the injuries inflicted upon their humble suppliants, while they pronounce their inability to afford them redress. Although the arm of the *Court* is bound, and may

not move in their defence, the hearts of the *judges* must have sorrowed with a sacred sympathy in dismissing from their bar these dejected and ruined suitors, disappointed in their best, perhaps their last hope.

The inquiry presses upon us—what has prompted Georgia, after so many years of acquiescence in the exercise of self-government by these Indians, within the prescribed boundaries of their territory, during which, no attempt was made to subject them to the jurisdiction of her laws and government; after her admission of their title of occupancy, until it should be extinguished, not by Georgia, but by the *United States*, what, we ask, so changed her opinions and policy, as to have produced the enactment of seven or eight laws, in quick succession, for the purpose of obtaining an immediate possession of this country, and extinguishing the Cherokees and their title together? She is not driven to these measures by any lack of land for the support of her own population; for, as the complainants allege, Georgia “already possesses millions of acres more than her people can cultivate.” She cannot find her apology in the fact by which Vattel justifies the European discoverers for appropriating to themselves the vast countries on which they raise a flag staff, or mark a stone, (their only title deeds,) that is, that they are “too closely pent up, and finding lands of which the possessors were in no *particular want*, (who was to judge of this?) and of which they make an actual and constant use.” No part of this *civilized* justification of invasion, robbery and exterminating wars upon unoffending nations, can be brought into the service of Georgia in her present proceedings. The vindication of Vattel, even in the cases to which he applies it, seems to us to be the argument of superior power, which may satisfy the conscience of the spoiler, but will hardly reconcile her victims to the loss of their country and the extirpation of their race. Before the Europeans dispossess an independent people, the original and natural lords of the soil, of their “ample domain,” on the plea of being themselves “too closely pent up,” they should bring into “actual and constant use,” the millions of acres of waste land which they have at home; and begin the practice of this system of ethics upon their own kings and nobles, who hold unmeasured tracts of excellent land, for their hunting, their parks, their pride and folly. Nothing can be more shameless and shallow; more destitute of candour and truth, than this pretence for seizing upon rich islands and vast continents, and destroying or expelling from them the proprietors who have had, for unknown centuries, the quiet and uncontroled possession of them. Treachery and violence have marked the course of European policy over their discovered countries. While they were too weak to contend with the natives, they deceived their ignorance by liberal promi-

ses and a gentle demeanour; but as soon as the balance of strength was turned in their favour, they became insatiate butchers, and cut the throats of their kind and simple hosts, to obtain all that they had not before cheated them of.

We are prompted, in this place, to introduce a passage from the debate, on the Seminole war, in the Congress of the United States in 1819. "I presume," said one of the speakers, "the origin of this war is the same with all our other Indian wars. It lies deep, beyond the power of eradication, in the mighty wrongs we have heaped upon the miserable nations of these lands. Reflect upon what they were; and look at them as they are. Great nations dwindled down into wandering tribes; and powerful kings degraded to beggarly chiefs. Once the sole possessors of immeasurable wilds, it could not have entered into their imagination, that there was a force on earth to disturb their possessions, and overthrow their power. It came not to their dreams, that from beyond the great water, which to them was an impassable limit, there would come a race of beings, to despoil them of their inheritance, and sweep them from the earth. Three hundred years have rolled into the bosom of eternity, since the white man put his foot on these silent shores; and every day, every hour, has been marked with some act of cruelty and oppression. Imposing on the credulity or the ignorance of the aborigines, or overawing their fears by the use of instruments of death, of incalculable terror, the strangers gradually established themselves, increasing the work of destruction with the increase of their strength. The tide of civilization, for so we call it, fed from its inexhaustible sources in Europe, as well as by its own means of augmentation, swells rapidly and presses on the savage. He retreats from forest to forest; from mountain to mountain; hoping, at every remove, he has left enough for his invader, and may enjoy in peace the new abode. But in vain; it is only in the grave, the last retreat of man, that he will find repose. He recedes before the swelling waters; the cry of his complaint becomes more distant and feeble, and soon will be heard no more. *He must perish.* The decree of extermination has long since gone forth, and the execution of it is in rapid progress. Avarice has counted their acres, and Power their force; and Avarice and Power march on together to their destruction."

The case of the Cherokees is profoundly distressing—whoever may be the wrong-doer; whether the United States, in promising what they are unable to perform, but retaining the consideration and price of the promise; or Georgia, in usurping a power to which she is not entitled, and maintaining it by mere strength; or both are associated and combined in the guilt—it is a truth not to be shaken or impaired by any argument or sophistry, that a ruinous wrong is done to an innocent party, who has been faith-

ful in all their engagements; an oppression and injustice that has scarcely a parallel in the history of civilized, *Christian* man; of any people regarding their plighted faith and honour. These wrongs cry to every ear, and knock at every heart for redress, whomsoever it may be that is bound to afford it. "They are," says the fervent advocate of the complainants, "in the last extremity; and with them must perish forever the honour of the American name. The faith of our nation is fatally linked with their existence. * * * We have promised them, and they trusted us. They have trusted us; shall they be deceived?"

ART. II.—*De L'Opera en France*. Par M. CASTIL BLAZE.
Deuxième Edition. Paris : 2 vols. 8vo. pp. 454, 412.

IN an early number of this journal, we presented to our readers a brief sketch of the rise and progress of dramatic music in Italy, founded principally on information derived from an interesting work on that subject, which had issued a short time previous from the Parisian press. Convinced as we are that music constitutes a theme of peculiar interest to a considerable number of the readers of this publication, and flattered at the kind reception which our former articles have received from several, in whose taste and judgment, in the polite arts, we place much reliance, we would be willing, did the time and the materials at our command permit, to pass in review, in successive numbers, the history of dramatic music in the various sections of continental Europe. Whether or not we shall ever have it in our power to follow up this plan to the extent that might be desired or expected, is a question we shall not pretend to answer in this place. But in pursuance of that object, we must be allowed to occupy a few pages of the present number, with a sketch of the origin and progressive improvements of the Opera in France. We select this subject, not from any decided preference, on our part, of the musical school of France, over that of other portions of Europe; though, as was stated in a preceding, and as will be seen in the present article, we are prepared to concede more credit to it than the English critics generally are willing to do; but simply because we cannot resist the temptation of availing ourselves, without further delay, of the researches of M. Castil Blaze, the title of whose work we have placed at the head of this article.

To those who are acquainted with French musical literature, the name and reputation of M. Castil Blaze must be familiar. After receiving a classical education, and going through the studies requisite for admission to the practice of the law, he

abandoned that profession, and obtained employment in some of the bureaux of the administration. But, unable to resist his fondness for music, and willing to sacrifice his prospects of advancement in a career little congenial to his taste, in order to try his fortune in one replete with difficulties, but fully in accordance with the bent of his genius and his favourite studies, he obtained his release from the drudgeries of the bureau, settled down as a professional musician, and soon after, distinguished himself both by the composition of dramatic and other pieces, and by the adaptation, to the French stage, of several Italian and German works. But M. Castil Blaze does not command our respect simply as a musical composer. The present volumes, as well as many critical notices of passing events in the musical world of the French metropolis, which appear in the *feuilletons* of the daily papers, his Musical Dictionary, and his translation of the text of Mozart's Opera, the *Marriage of Figaro*, and other pieces, have led us to view him as an author of extensive erudition; an intelligent and keen critic, a correct observer, a good poet, and an able writer;—qualifications, natural and acquired, which are rarely found combined, in so remarkable a degree, in professional musicians.

In reference to the present work itself, it will be sufficient to remark, that it is divided into several chapters, treating of the various departments into which the opera, as a whole, is divided,—words, music, expression, voice, parts, instruments, &c., &c., on each of which subjects, the author enlarges fully, and presents many interesting and *piquant* observations. As he himself remarks, the work is not addressed to professional composers and erudite musicians, but to the public at large;—to those amateurs, who, though passionately fond of listening to masses, oratorios, concerts, and operas, are nevertheless uninitiated in the doctrine or the exercise of the art. “Every person who derives pleasure from, or whose attention is greatly attracted by, a lyrical representation, in whom an aria, a duet, a tender romance, or a mysterious *nocturno*, excites gentle emotions; who does not fall asleep at a concert, who stops in his promenades to taste the charms of harmonious and brilliant military music, or of a serenade replete with melody; who collects under his windows the itinerant virtuosi for whom we are indebted to Italy; who listens with delight to the warbling of the feathered tribe; who does not turn away with contempt from a *piana sonata*, or a well executed violin concerto, and finally, who admits that the sublime accords of the Mozarts, of the Cimarosas, and the Méhuls, constitute something different from noise, both insignificant and destitute of object; such an individual, we say, may read with advantage, and perhaps with pleasure, this work, which is addressed to him. It will direct his attention to an art which has afforded him so many

moments of delight, and will, by explaining the means and the results of that art, pave the way for still greater enjoyments."

The word *opera* was borrowed by the French from the Italians. It signifies *work*, and was originally employed by the latter to designate a lyric drama, because this kind of musical performance was regarded by them as the most important musical work that could be made. By the French it is made use of to signify both the theatre at which the musical pieces are performed, and those pieces themselves. From this double sinification it follows, that the word *opera* does not convey to the mind the idea of something specific; that it has not a real and distinct meaning. The name of Academy of Music, which is even at present given to one of the opera houses of Paris, though more pompous, is not more correct; for such theatres, whatever they may have been formerly, are certainly not academies now. That of *theatre of arts*, which was at one time employed, would, according to M. Jouy, be more proper, as applied to the house itself; while the word *Melodrame*, which has become ridiculous from the improper application that has been made of it, would be appropriately used to designate a kind of lyrical production, the action of which is sung while the music directs the pantomime. But be the impropriety of the word what it may, we shall, in conformity with common usage, use the word *opera* to signify musical dramatic compositions, while, to prevent misunderstanding, we shall designate the building at which those pieces are performed, by the simple word *theatre*, or by the two words *opera house*.

The opera has been defined by Rousseau, a dramatic and lyric performance, in which are combined, in the representation of an impassioned action, all the charms of the fine arts; and the object of which is to excite, by the aid of agreeable sensations, both interest and illusion. It has been said to consist of an episode drawn from an heroic, comic, or pastoral poem, arranged for the stage, and brought into action by the aid of poetry, music, choregraphia and painting. "Par la poesie," continues the citizen of Geneva, "on parle à l'esprit; par la musique à l'oreille; par la peinture aux yeux: et le tout doit se reunir pour émouvoir le cœur et y porter à la fois la même impression par divers organes." It follows from this, as M. De Jouy has remarked, that as a dramatic work of this nature must combine an assemblage of the prestiges—of the illusions of all the arts, it can only be produced by the concurrence of the various talents which contribute to its creation, if not in an equal, at least in a requisite and well defined proportion. With a view to point out in a few words the part which each of the aforesaid arts must be made to play in the vast composition in question, it is said that the poet is charged with inventing and sketching a design of the general

plan of the work; that the composer must, by adding strength to the melody of the language, enhancing the force of the impressions, and increasing the energy of the sentiments, complete the music commenced by the poet;—that the choreographer, (and by that term is understood not only the director of the ballets, but more particularly the individual who directs the movements of the masses and the ensemble of the pantomime,) must distribute, and must infuse animation in the groups, and enliven, by the aid of all the illusions of his art, the moments of repose of the scene, without losing sight, however, of the principal action of the play; finally, that the scene painter and the decorator must fix or locate as it were the thoughts of the spectators, by the representation and arrangement of the material objects, which realize to the eyes the dreams and the pleasant deceptions of the imagination.

We have neither space nor leisure to enter here into a detailed examination of all those points—to weigh carefully the degree to which each of the arts we have alluded to, contributes towards the construction of an opera; and must therefore content ourselves with calling the attention of our readers principally to the musical department of that species of composition.

Before proceeding to the history of the Opera in France, M. Castil Blaze devotes a few pages to a sketch of the state of dramatic music in olden times, and remarks, somewhat in contradiction to the views advocated in a former volume of this journal, that the ancients were not acquainted with the opera. Nevertheless, he adds, that they cultivated all the arts which constitute its elements, and employed these arts in scenic representations. He admits, for example, that their tragedies had overtures, dances, choruses, scenery, and that the dialogue was recited in accordance with the laws of *Melopia*;—that having announced the play, and regulated the time of the dance, the music sustained the choruses during the *entre acts*, but adds, that this measured declamation had not the variety of intonation of even the recitative of the present day. But notwithstanding our great respect for the authority of M. Castil Blaze on all subjects connected with the opera, we must beg leave to retain the opinion we formerly expressed in relation to Greek and Roman dramatic music. For, independently of the reasons we adduced in support of that opinion, it appears to us that scenic representations, in which all the elements of the opera are employed;—tragedies that have overtures, dances, choruses, the dialogues of which are recited agreeably to the laws of *Melopia*, and which are represented on theatres provided with scenery, approximate much in their nature, if they are not identical with what we now denominate operatic performances. The mere circumstance of the measured declamation of the Greeks, not being so varied in respect to intonation as even the modern recitative, is no argument against this

view of the subject; since all we can reasonably infer from that fact is, that the declamation of the ancients was more monotonous than the recitative; and certainly not that it differed from the latter in its very nature.

He next speaks of the blighting effects produced on music by the irruption of the northern barbarians;—of the emigration to Italy of the musicians, painters, and poets, fleeing from Constantinople after the conquest of that city by the Turks in 1430;—of the origin of the religious drama;—of the commencement of lyric representations;—of the efforts made by St. Philip di Neri to oppose the latter, by the establishment of that kind of musical performance at present known under the name of *Oratorio*; finally, of the revival and progress of the opera in Italy, from the time of *Polician* to that of *Monteverde* and *Cavalli*. But as we have entered fully on most of these topics in a former volume, and as they are not strictly connected with the object of the present article, we shall not dwell upon them in this place.

Even so late as the close of the sixteenth century, the opera, such as it already existed in Italy, had not found its way into France. The only scenic representation then in vogue in that country, consisted of *Ballets*, in which dialogues and recitations succeeded alternately to the dance. But these ballets were composed without the least approach to taste, and without any regard to the laws by which the drama was already in some measure regulated. Nor does it appear that any change of importance was effected in respect to the plan on which these pieces were constructed, until the arrival in France of *Balthasarini*, who was sent thither to Catherine de Medicis, by Marshal de Brissac, at that period the Governor of Piedmont. Balthasarini, who subsequently assumed the name of *Beaujoyeux*, was appointed one of the valets de chambre of the Queen, and intrusted with the management of all the court ballets, festivals, and concerts. In 1581, he composed, by order of the Queen, and in conjunction with *Beaulieu* and *Salmon*, music teachers to Henry III., and Baïf Ronsard, a comic ballet on the occasion of the marriage of the Duke of Joyeuse, which, for the splendour of the decorations, and the grandeur of the musical effects, exceeded by far all that had been heretofore attempted in France. Baïf, who enjoyed the advantage over his musical colleagues in France, of having witnessed the representation of operas at Venice, and who to his musical talent united one for poetry, conceived the praiseworthy project of introducing that kind of performance in his native country. In accordance with this intention, he composed several dramas in metrical verses, a measure frequently used by the ancients, and which he considered as more favourable than any other to the adaptation of music. Having next set these dramas to music, he caused them to be performed at his own residence,

where he was often honoured with the presence of King Charles IX. and his successor Henry III. Such was the success of Baif, that there is little doubt, as our author remarks, that had circumstances permitted him to persevere in his enterprise, he would have finally established an opera worthy of the name at Paris. But the civil wars having broke out in France at that period, a complete stop was thereby put to the amusements of the court.

From this period to the year 1645, no attempt was made in France to revive the opera. In that year, however, the Cardinal Mazarin, ever anxious to devise means of amusement for his royal master Louis XIV., then a mere stripling, ordered a lyric comedy, *La Finta Pazzo*, composed by *Julius Strozzi*, to be performed in the presence of the king and of the queen dowager. But between this play and the operas of our own times, the distance in respect to dramatic regulations and to decorum, will be admitted to be considerable, by those who are apprized of the fact, that the first act terminated by a ballet of Monkeys and Bears;—the second by a dance of Ostriches, and the third by an *entré* of Parrots. Two years after the performance of this grotesque play, *Zarlino* brought forward two operas, *La Finta Pazzo* and *L'Orfeo*; both of which were performed by a company of Italian actors and musicians who had been invited from Italy by the Cardinal. This performance produced effects so unexampled and unexpected, owing to the splendour of the scenery and decorations, the charms of the music and the rapidity of the changes, that it was repeated at the festivals given on the occasion of the marriage of Louis XIV.

The success obtained by these Italian musical performances, inspired the desire of adapting the French language to the same species of composition, and to a certain extent the task appeared of easy execution, since the theatre, the machinery, and the decorations, which had been made use of already, could serve for the contemplated performances. But, as a theatre, as machinery and decorations, do not alone constitute the requisites for an opera, and as singers and symphonists are indispensably necessary, it was at first feared that an obstacle to the success of the project would be at once encountered, owing to the difficulty of assembling a sufficient number of such performers. The idea of the paucity of these, combined with the prejudice already prevailing, relatively to the inapplicability of the French language to music, retarded, for some time, the execution of the project. At last, however, an individual was found, bold enough to encounter all the difficulties, real or presumed, which were thought likely to baffle the attempt. This individual, whose name was Perrin, was, strange as it may now appear, an Abbé. Having written a pastoral, the intrepid ecclesiastic, who seems to have preferred the theatre to the church, had it set to music by Cambert,

and caused it to be performed in a private house at Issy. The complete success obtained by this piece, both in private performances and in those which took place in the presence of the court at Vincennes, afforded considerable gratification to the French people generally, as it enabled them to perceive that they could possess a lyric drama of their own. M. Castil Blaze remarks, in reference to this piece, that the music was admired, though more particularly the sweet melody of the flutes, which the musician had skilfully contrived to blend with that of the violins; and that if we have regard to the period at which the piece was first performed, we ought to consider the addition of the flute to the violin—at that time the only instrument employed in the orchestra, in the light of a bold innovation, the unexpected effects of which reminded every one of those attributed to the former by the Grecian historians.

Encouraged by their success, Perrin and Cambert united in the composition of *Ariane*, the performance of which was, however, retarded, in consequence of the death of Mazarin. A short time previous to this event, the *Toison D'or*, written by Corneille, was performed at the château of the Marquis de Sourdeac, and a new Italian company recently arrived at Paris, got up in a style of much magnificence the opera of *Ercole Amante*. But the first of these pieces was not repeated, and the latter, though better performed than could have been done by the French actors, did not produce as much effect as had been obtained from Orfeo;—a taste for French words having already begun to prevail; and the national pride operating against Italian and in favour of French operatic music. In 1669, Perrin solicited and obtained permission to establish academies of music appropriated to the public performance of dramatic compositions. But as it was found that the city of Paris alone could not supply a sufficient number of actors and orchestral performers, several musicians were obtained from the provincial cathedrals, who, in conjunction with the lyrical actors whom an experience of ten years had sufficiently trained to the duties of their profession, constituted a company of no mean capacity. Perrin established his rehearsals at the Hotel de Nevers, while a theatre suited for his exhibitions was in preparation. At length the newly organized company commenced their performances with the opera of *Pomone*—the first French production of the kind ever represented in public. The words were furnished by Perrin—the music by Cambert—while the ballets were got up under the direction of Beauchamp. If we may credit the writers of the times, the music of this opera was successful; but the text gave general dissatisfaction—the poet having, in imitation of his Italian compeers, supplied the musician with detached scenes, and having written the whole in the most contemptible style. Nevertheless, in spite of these im-

perfections, *Pomone* was performed with unabated success during eight consecutive months.

Not a long time elapsed, however, before a dispute arose between Perrin and the Marquis de Sourdéac, who had been intrusted by him with the arrangement of the mechanical part of the decorations, a department in which he attained considerable reputation. On account of this misunderstanding, Perrin was dispossessed of the establishment he had been at the pains of forming, and was succeeded by his opponent. The new manager employed in the capacity of poet, an individual of the name of Gilbert, who furnished a pastoral for which *Lulli* composed the music. The latter, who was now but commencing his career as a musical composer, and who subsequently rose to considerable eminence in his profession, obtained, soon after the representation of the pastoral to which we have alluded, through the protection of Madame de Montespan, a transfer of the privilege possessed by Perrin. Having done this, he dismissed Gilbert, and leaving Sourdéac and his associates, established another theatre, where, in 1672, a new opera of his own composition, *Les Fêtes de l'Amour et de Bacchus*, written by Quinault, was performed—the king and many of the courtiers and of the nobility taking part in the ballet. A short time after, Quinault, who, in conformity with an engagement he had entered into with Lulli, wrote most of the poems the latter set to music, furnished the texts of two operas, *Cadmus* and *Aleeste*, both of which were well received.

In the year 1673, Lulli transferred his establishment to the theatre of the Palais Royal, vacated by the death of Moliere. He took considerable pains in instructing his orchestral performers, and increased the difficulties of his accompaniments, in proportion as the powers of the former to execute them, augmented. Lulli is generally regarded as the first who fairly introduced wind instruments, as well as what are called instruments of percussion, in the opera—the violin being the only one, with the exception of the flute, which, as we have seen, was made use of by Cambert, that was commonly resorted to. He was the first to make a judicious employment of dissonances, thereby in an efficacious manner avoiding in his music that insipidity and languor so conspicuous in the compositions of his predecessors. He imparted also a due degree of importance to the different parts of the orchestra, and did not restrict the function of the latter, as was done formerly, to a simple melody performed by the first violin, and accompanied by the rest of the performers. Even by those who find most fault with his music generally, it is admitted, that his melody, though too simple and often monotonous, was pure—that his harmony, though meagre, was correct—that his accompaniments, though too transparent and feeble, bore a great relation

with the subject—and that his recitative, though monotonous in the extreme, and often highly incorrect in intonation and modulation, was much preferable to all that had heretofore been heard, and even to the recitative of many of his successors. To Lulli also we must refer another important innovation—the introduction of female dancers on the stage; their parts having heretofore been intrusted to individuals of the other sex, decked in female attire.

Lulli, ever intent on pleasing the king, was appointed by the latter superintendent of his music, and after furnishing, besides the operas we have mentioned, *Thésée*, *Le Carnaval*, *Atys*, *Isis*, *Psyché*, *Bellérophon*, *Proserpine*, *Le Triomphe de L'amour*, *Persée*, *Phaëton*, *Amadis*, *Roland*, *L'Idylle de la paix et l'Églogue de Versailles*, *Le temple de Paix*, *Armide*—the best of his works, the music of twenty ballets for the king, and of several of the plays of Moliere, besides some pieces for the church, terminated his career as a dramatic composer, in 1687, with *Acis et Galathée*, a heroic pastoral in three acts, and died the same year, at the age of fifty-four. From all we have said of Lulli, it may be inferred, that he was undoubtedly a man of talent and of taste, and rendered a signal service to French music by the introduction of Italian melody, such as it existed in his time, as well as by the modifications he introduced in the orchestral accompaniments, to which we have alluded. Judging, however, of his operas, with ears accustomed to the music of the nineteenth century, they cannot be considered otherwise than as meagre compositions, evincing little of the inspiration of genius.

Lulli was succeeded by *Campra*, *Destouches*, *Montclair*, and *Lalande*, who, though distinguished at the time by their compositions, were far from equalling their master. Many operas, which have now sunk into a merited oblivion, were performed between 1687 and 1733, the period at which Rameau commenced his career by the composition of *Hippolite et Aricie*. If the success of Lulli had been striking and incontestable, that of Rameau, whose style bore little if any resemblance to that of his great predecessor, was, though perhaps more gradual, not less decided. Between his partisans and those of Lulli a controversy now arose; but after raging for some time it subsided, and the triumph of Rameau, who had in the meanwhile produced *Castor and Pollux*, and several other operas, was admitted to be complete. He reigned long in undisputed possession of the lyric scene, notwithstanding the real but ephemeral successes of *Mondonville*, *Rebel*, *Francœur*, *Mouret*, *Berton*, and a few more. Indeed, our author is perfectly justified in remarking, that of all the patriarchs of the French opera, Lulli and Rameau are the only ones whose names have retained their original celebrity; for whenever the subject of the history of French dramatic music, during the latter half of the seventeenth and the commencement of

the eighteenth centuries, is canvassed, the contemporaries and immediate successors of these celebrated composers seldom present themselves to the mind, unless in reference to some particular point.

Rameau, who thought that the charm of all music resided in harmony, could not endure the music of the Italian school, and confessed, that what were considered the finest arias of Leo, Da Vinci, Pergolese, and Jomelli, were sufficient to drive him out of the room in which they were performed. Hence the little attention he paid to melody, and the decided preference he gave to harmony, which he sometimes used without the least judgment. That he was a great harmonist does not admit of the least doubt; for while his countrymen were criticising his claims to preeminence in every department of music, and even in the one in question, his works on composition were lauded, commented upon, and perfected, by *Albrechts-Berger*, *Bach*, *Fush*, *Kirnberger*, *Marpurg*, *Mattheson*, and other composers and theorists of more or less celebrity. But our business now is with the claims of Rameau as a dramatic composer, not as a harmonist. It appears to us, from the specimens we have seen of Rameau's dramatic music, and from all we have read on the subject, that the judgment formed of that composer by Rousseau, in his celebrated letter to Grimm, is more impartial, freer from exaggeration, and more correct, than any other we are acquainted with. Rousseau, in the outset, accuses Rameau with not always seeming to have understood the words on which he undertook to compose music; a circumstance which led him into the commission of many inconsistencies. He remarks further, that "though often superior to Lulli in point of expression, he was inferior to him in wit and intelligence. We must admit him to have been a man of great talent—who possessed a great deal of fire, and a highly sonorous head (*tête bien sonnante*)—to have had a consummate knowledge of harmonic inversions, and of all the circumstances required for the production of dramatic effect—a great deal of art in appropriating to himself, ornamenting, and embellishing the ideas of others, and modifying his own; but little facility in inventing new ones; to have had more dexterity than fecundity, more knowledge than genius, or at least a genius smothered by too much learning, but always force and elegance, and very frequently fine melodies (*chants*)." His recitative, continues Rousseau, is less natural but more diversified than that of Lulli. It is admirable in a small number of scenes, bad in almost every other. He was the first to compose elaborate symphonies—was versed in a knowledge of details and in the art of contrasts; yet at the same time, no one has been less successful in imparting to his operas that degree of unity which is so desirable in works of the kind; and he is probably the only composer who has failed in constructing a good work out of many fine detached pieces.

Et ungues
 Exprimet, et molles imitabitur ære capillos ;
 In felix operis summâ, quia ponere totum
 Nesciet.—*Hor. De Art. Poet.* v. 32.

It must be remarked, that this judgment of Rousseau was formed in 1753. But we return to the success of Rameau, and to the events which succeeded shortly after. On these subjects the following extract from the work before us, will be read with pleasure, as conveying interesting information.

"On écoutait avec transport les accords du nouvel orphée ; et les amateurs parisiens ne pouvaient imaginer qu'il y eut une mélodie plus agréable que celle des airs de *Castor*, et une harmonie plus éminemment dramatique que celle de ses chœurs. C'était un délire universel ; on touchait aux bornes de l'art, grâce au talent de Rameau.

"Dans le pays des illusions, il n'est pas rare de voir un magicien terrible tomber sous le charme d'une fée aimable et séduisante. Des chanteurs venus d'Italie se font entendre, et le prestige est dissipé. La pureté des compositions qu'ils exécutent, des accords mélodieux et simples, des traits dont l'élégance égale la suavité, font un contraste piquant avec la lourde psalmodie du récitatif, les airs bizarres et emphatiques de Rameau, et les hurlemens de ses chœurs. Les bouffons italiens représentent, pendant les dix huit mois de leur séjour à Paris, douze opéras des plus grands maîtres de leur école, tels que *la Serva Padrona*, de Pergolèse ; *il Paratagio*, de Jomelli ; *i Viaggiatori* de Leo, &c. Voilà de nouveau la guerre allumée. Les partisans de Lully et ceux de Rameau, jusques alors en opposition, se liguent contre l'ennemi commun, et combattent vaillamment *pro aris et focis*. Les champions se rassemblent tous les soirs à l'opéra, et chacun dénigre ce qui fait pâmer de plaisir son adversaire. Les brochures les pamphlets se succèdent avec rapidité ; cependant, comme les bons mots, les quolibets, les épigrammes, furent les seules armes dont on se servit, il n'y eut point de sang répandu."

The Italians, to whom reference is made in the preceding extract, arrived at Paris in the month of August 1752, and continued to perform, at the opera house, until March 1754. In the course of these twenty months they acted twelve operas ; 1° *La Serva padrona*, by Pergolèse ; 2° *Giocatore*, by Orlandino and others ; 3° *Il maestro di musica*, by several composers ; 4° *La finta cameriera*, by Altella ; 5° *La donna Superba*, by several ; 6° *La Scultra Governatrice*, by Cocchi ; 7° *Il Cinese rimpatriato*, by Selletti ; 8° *La Zingara*, by Rinaldo ; 9° *Gli Artigiani arricchiti*, by Latilla ; 10° *Il Paratagio*, by Jomelli ; 11° *Bertoldo in Corte*, by Ciampi ; 12° *i Viaggiatori*, by Leo.

Rousseau informs us, in his Confessions, that although the whole company was bad, and the orchestra destroyed, by the incompetence of all its members, the effects of every piece they attempted to execute ; yet these performances did infinite injury to the French opera. The two companies played on the same nights, and the Italian pieces, when thus heard in comparison with the French, contributed in a wonderful manner to refine the ears of the audience, and render them sensible to the charms of true melody. So evident was the improvement in the taste of the people, that after a few representations the French

opera was hardly listened to. When the Italians had done, the great majority of the audience left the theatre, so that it was found necessary, in order to insure attendance on the French performers, to change the order of the representation. Then commenced the war, mentioned in the above extract, a war certainly as ridiculous as the one that had been waged between the partisans of Lulli and Rameau, now leagued together to oppose the intruders, and which, as Grimm informs us, occupied the attention of the public to the exclusion of the disputes of the Parliament of Paris with the Court, and its exile to Pontoise.

"Tout Paris," says Rousseau, "se divisa en deux parti plus échauffés que s'il se fût agi d'une affaire d'état ou de religion. L'un, plus puissant, plus nombreux composé des grands, des riches et des femmes, soutenait la musique française ; l'autre, plus vif, plus fier, plus enthousiaste, étoit composé des vrais connoisseurs, des gens à talents, des hommes de génie. Son petit peloton se rassembloit à l'opéra, sous la loge de la reine. L'autre parti remplissait tous le reste du parterre, et de la salle ; mais son froyer principal étoit sous la loge du roi. Voilà d'où vinrent ces noms de partis célèbres dans ce tems là, de *coin du roi* et de *coin de la reine*. La dispute en s'animant, produisit des brochures. Le coin du roi voulut plaisanter ; il fut moqué par le *Petit Prophète* (Boehmischbroda ;) il voulut se mêler de raisonner ; il fut écrasé par la *Lettre sur la musique française* ; ces deux petits écrits, l'un de Grimm, l'autre de moi, sont les seuls qui survivent à cette querelle ; tous les autres sont déjà morts."

Interesting as it would be to investigate, by a reference to the writers of the period, and by an examination of the compositions then in vogue, the condition of the opera in France, we are compelled to abstain, by the fear of extending this article beyond its proper limits. But while doing this, we must be permitted to remark, that those who are aware of the melancholic cast, the slowness and monotony of the old French recitative,—of its analogy indeed with the *canto fermo* of the church ; who are apprized of the fashion existing at that time of introducing trills, cadenzas, and portamentos, in almost every measure of every species of vocal music ; who are aware of the interminable length of the arias, of the tone of lamentation in which these pieces were sung—of the insipidity and uninspiring nature of the words on which they were composed—of the length and monotony of the monologues—of the total neglect in the composers, performers and singers, of the laws of rhythm—of the complete absence of expression in the melody, and of the little regard that was paid to the adaptation of the latter to the sense of the poetry ; those, we repeat, who are aware of these circumstances, and who compare these traits of the French music of the period in question with those by which the Italian music was even then distinguished, will have no difficulty in joining in a sentiment similar to that adopted by the individuals who assembled "in the corner of the Queen"—and who denied, as Rousseau had done, to the French music of those days, the least claim to a prefer-

ence over, or even equality with, the music of the contemporary Italian school.

But whatever may have been the imperfections of the French music, Rameau triumphed a second time, and the Italians were compelled to return home in 1754. Nevertheless, as M. Castil Blaze remarks, the blow was struck, and the laurels obtained by so decided a victory could not cure the French psalmody of the wound that had been inflicted upon it. The amateurs of fine music, who had listened to the melody of the Galuppi, the Leos, the Pergoleses, and the Jomellis—and who had learnt to appreciate their beauties, were inconsolable at the loss they had sustained by the departure of the Italian singers. To compensate them in some measure for this loss, Bourans translated into French verse, the poem of the *Serva padrona* of Pergolese, and had this opera performed at the Italian theatre, where the principal parts were sustained by Madame Favart and by Rochard, who had both heretofore distinguished themselves in the low farces exhibited in that establishment.

In this way it was, that the comic opera—a species of lyric representation peculiar to the French, and on the exclusive possession of which they attach considerable importance, was created.*

But before proceeding any further in this inquiry, it will be proper to explain in a brief manner the differences that exist between the two kinds of operas in France, as well as between the opera strictly speaking, and that sort of lyric representation which the French denominate Vaudeville. In Italy there exist two kinds of operas—the opera seria and the opera buffa. In the first, as the name imports, subjects of an heroic and serious character are selected; while in the second, only such as are of a different and comic kind, either throughout the whole piece and in all the parts, or merely in some portion of it, are represented. In France, there are also, as we have stated, two kinds of operas—the grand and the comic. In the first, the whole piece, as is the case in both varieties of the Italian opera, is sung, either in the form of arias, duetts, trios, choruses, &c.—or else in that of recitative. In the comic opera, on the contrary, the music is interrupted by spoken dialogues or conversations, instead of recitatives. It would probably be impossible to discover a satisfactory reason for the adoption of these names, inasmuch as comic subjects are sometimes selected for the theme of grand operas, as in the *Comte Ory*, for example; while some of a serious cast, as in *Joseph*, constitute the basis of the play in comic operas. But as they are consecrated by long usage, they continue to prevail. The difference existing between the comic opera and the

* It is proper to remark, that the Italian operatic singers, of which mention is made in the text, must not be confounded with the comedians of the same nation, who performed at Paris, at various periods, from 1570 to 1780.

vaudeville and smaller lyric dramas, is not, at first, so easily made out. On careful examination, however, it will be found, that in the former the subject selected is of a more elevated and dignified character, and the action is continued in the music, which is itself of a more dignified kind, consisting of fine arias, duetts, choruses, finales, &c. In the vaudeville, on the contrary, the subject is of a light and comic cast, and the music consists of small couplets and songs, detached from the plot—incidentally introduced, as it were, and which will often admit of being omitted altogether, without impairing the action of the play.

We have said that the performance of the translations of Italian operas, at one of the minor theatres, may be regarded as the origin of the comic opera. Perhaps it would have been more proper to state, that the modifications which those who undertook to adapt those operas to the French stage, found it necessary to make in order to suit them to the purposes of the Italian theatre, imparted to them the peculiar form and character which the species of lyric drama designated by that name now presents; because, so early as 1714, as we are informed by M. Dulaure, in his history of Paris, there existed, in that city, a theatre bearing that name, but where pieces of a very different kind were played. These performances were given in the north Boulevards, at the *Foires de St. Germain*. The establishment had been much persecuted by the directors of the larger theatres, who imagined that their privileges were infringed, by the performances in question. This persecution was endeavoured to be evaded by cunning and intrigue. On the aforesaid year, the new establishment obtained the name of *opera comique*, and the Academy of Music, under which name the grand opera house was usually designated, was prevailed upon to allow the actors attached to the former, to perform little pieces or vaudevilles, intermixed with dances, on condition, however, that they would not utter a single word, except in combination with music. The principal writers of the times were *Lesage*, *Fuselier*, *Dorneval*, and *Madame Favart*. The success of this establishment was complete, and soon excited the jealousy of the French comedians, who commenced a persecution similar to that it had experienced from the Academy of Music. These comedians, in virtue of the privileges they enjoyed, succeeded in prohibiting the actors of the comic opera house from uttering a word, either in combination with music, as they had been allowed to do by the Academy of Music, or otherwise. They were, in consequence, forced to restrict themselves to the performance of pantomimes. But as these attracted a crowd, and as the comedians continued, on that account, to complain, the privilege of the comic opera house was withdrawn altogether in 1718, and the performances were suppressed. In 1724, this establishment was revived,

and continued to attract a crowd until 1745, when it was again closed, in consequence of the jealousy excited in the larger theatres, by its success. In the year 1752, however, it was a second time revived; and shortly after, was united to the company of Italian comedians, who, as we have seen, were performing at Paris. In consequence of this union, the comic opera was designated by the name of Italian theatre, which it retained even long after the Italian performers had retired. This establishment underwent, at a subsequent period, other modifications, of which we shall speak in the proper place.

In 1757, Duni, who had studied in Italy, began to compose for the comic opera house, and obtained at first considerable success; but Philidor and Monsigny, who followed soon after, surpassed him considerably. In 1764, *Le Roy et le Fermier*, *Les chasseurs et la laitière*, and *Le Sorcier* were played, and contributed, in an essential degree, together with the translations of the Italian operas we have mentioned, to elevate the character of the comic opera;—the pieces heretofore known under that name being, as we have seen, little better than vaudevilles and low farces. While Philidor and Monsigny were thus labouring for the advancement of the comic opera, Gossec and Rodolphe, much better known, the former for his church music and particularly for a beautiful requiem, and the other for his solfège and his treatise on accompaniments, than for their theatrical compositions, furnished several pieces to the Royal Academy of Music, as well as some to the Italian theatre. Philidor and Monsigny also wrote for the former of these establishments, and assuming the style of the Italian school as the fittest for imitation, attempted to introduce it there, and thereby to improve the taste of their countrymen. But in this praiseworthy project they completely failed; for the operas of *Ernelinde*, and *Aline Reine de Golconde*, which they composed, in conformity with that plan, though admired, produced feeble sensations, or at least did not succeed in overcoming the deep-rooted prejudices of the admirers of Rameau, and of the public generally, who, though willing to admit that the little Italian music was well suited to the comic opera, obstinately maintained that it was destitute of grandeur and energy, and hence could never serve to express the passions.

For a long time, the comic opera was, as we have seen, only an accessory branch of the Italian theatre; pieces of that description forming only a part of the performances given at the establishment in question. But in proportion as the composers who wrote operas of that kind furnished pieces of greater interest, the character of that species of composition was raised, and its domain extended. In 1768, Gretry commenced his career at that establishment, by a work of slender merit, but which bore evidence of a superior and rising genius. We allude to the *Huron*, of which

Marmontel furnished the text. The next year he established his reputation on a more secure foundation, by the composition of *Lucile* and of the *Tableau parlant*. These admirable operas served, in the most efficacious manner, to elevate the character of the comic opera, and to enable it to take precedence of the vaudevilles and other light pieces which were performed at the same theatre. In consequence of this, the actors employed in the vaudeville, mortified at the secondary importance to which they were now reduced, demanded and obtained, after the performance of the opera of the *Deserteur* by Monsigny, which appeared in 1769, permission to retire, and the comic opera remained in almost complete possession of the house.

In 1771, the *Zemire et Azor* of Gretry, and a French translation by Cailhava of the *Buona Figliola* of Piccini, were performed at the same theatre, and among the operas which appeared between that period and 1776, our author cites *L'ami de la maison* and *La Rosiere*, by Gretry, and *La Bataille d'Ivry* by Martini. It will not comport with the design of this article, or with the limits assigned to it, to enter in detail on the merits of Gretry and his contemporaries as dramatic composers, or on the musical taste of the times. But we cannot pass the subject by, without remarking, that almost every critic of that period, and even of our own time, has admitted that Gretry, Philidor, and Monsigny, but particularly the first, fully merited the praise they received from their contemporaries. Many of their pieces combined energy with sweetness, tenderness with vivacity. They contained a variety of passages fitted for the expression of the passions, though perhaps not to the degree required in tragedy. Gretry, as Marmontel has correctly stated, did not compose music purely Italian. It was far from having attained that ensemble which pleases so much in the productions of the great composers of that school. Yet he had a flowing melody and a natural expression. His arias and duetts were agreeably sketched. Sometimes also in the orchestra, he made a very fortunate employment of instruments; finally, he possessed sufficient taste and talent to compensate for some deficiency in respect to art and genius. If his music had not all the charm and richness which characterize that of Piccini, Sacchini, Paisiello, it had the same rhythm, accent and prosody. His operas were performed with considerable applause in Germany, and Dr. Burney, whose judgment was assuredly far from being always unbiassed by the prejudices so universally prevailing, even to this day, among the English, in relation to French music and French composers—as if their own could in any respect be compared to them—is forced to acknowledge that Gretry possessed great merit, and speaks in the highest terms of some of his pieces—of *Zemire and Azor*, particularly—the music of which he regarded as admirable;—add-

ing that the "overture is spirited and full of effects," that the ritornels and other pieces of symphony are full of new ideas and imagery, and that the accompaniments are rich and ingenious. It is true that this praise—which by the way Dr. Burney has somewhat qualified by the remarks, that the airs border too much on the old style of French music, and that the melody is more frequently Italian than French, a species of plagiarism of which he accuses all the authors of comic operas—it is true, we repeat, that such praise may seem somewhat exaggerated at this period of musical refinement; and that Gretry's, Monsigny's and Philidor's music, though rich in melody, appears now too trivial, simple and meagre, particularly in harmony; yet there is no doubt that for the time at which it was written it was uncommonly good, whether made in imitation of the Italians or not. It is evident, also, that it ought, as M. Castil Blaze has very aptly remarked, to have convinced every one, that the new style of composition was equally suited to the two lyric theatres—those of the grand and comic operas; in a word, the same melody which expressed with vehemence and gracefulness the passion and tenderness of *Azor*, could be made use of for portraying the fierce jealousy of *Rolando*, and the love of his more fortunate rival, as well as, if not better than, the monotonous psalmody, and the violent shrieks which were still regarded by the frequenters of the grand opera house, as the ne plus ultra of musical excellence. But the prejudices on that score were too deeply rooted to be removed in a short time, and by examples such as those which Gretry and his compeers were able to furnish. Many individuals persevered in their opposition, from a vicious taste in musical style—the effect of habit and bad examples; while others were actuated by a spirit of party, originating in national pride, which induced them to prefer the prevailing style, merely because it was regarded as of French origin, and to oppose that by which some were desirous of supplanting the French, because it was the offspring of a foreign country.

From what precedes, our readers will easily perceive that M. Castil Blaze is of opinion, that the style of dramatic music adopted at the period in question, at the grand opera house of Paris, is open to the severest censure. This opinion is fully corroborated by every writer in France and elsewhere, on whose judgment the least reliance can be placed. Dr. Burney, for example, who visited Paris about that time, while acknowledging that the French were then the only people in Europe, except the Italians, who in their dramas had a music of their own, remarks, with certain reflections about *French ears*—at which, by the way, an Englishman should be the last to sneer—that "the serious opera of Paris was still (1773) in the trammels of Lulli and Rameau, and that every one who went thither, either yawned or laughed,

except when roused or amused by the dances and decorations." "As a spectacle," he adds, "this opera is often superior to any other in Europe; but, as *music*, it is below our (!) country psalmody, being without time, tune, or expression." In justice to the French, we must be allowed to remark, that while Dr. Burney appears disposed to tax them with insensibility to *time*, *tune*, and *expression*, he admits that the kind of music he so severely criticises, was then kept up by a few in France, only through national pride, the rest frankly confessing that they were ashamed of their own music. Persons who confess this abhorrence of bad music, and who are gradually becoming admirers of other pieces, imitated from the Italian school—decidedly the best in Europe—ought, assuredly, never to have been taxed with being deficient in musical ears.

"Lorsque l'aveuglement," exclaims our author, "et l'incrédulité sont poussés à ce point, il faut un coup de tonnerre pour déchirer le voile, ou l'épée d'Alexandre pour trancher le nœud qu'on ne saurait délier." Gluck appeared, and strong as were the obstacles to the substitution of a more natural and refined style to that which prevailed at the Academy of Music, they proved of no avail, and a revolution, the necessity of which had, as we have stated, long been felt by every individual endowed with a particle of musical taste, was at length effected. Gluck's *Iphigénie*, after the first representation, in which the audience were taken by surprise, excited a degree of enthusiasm heretofore unexampled in the annals of the opera. We are not prepared to admit to the full extent the pretension of Gluck and of his partisans, who affirmed that he had discovered a style of music more perfectly applicable than any other, to theatrical action—a music, the principles of which are derived solely from the eternal source of harmony, and from the intimate relation of our sentiments and of our sensations,—a music which does not appertain to any school or country in particular, but the style of which has been adapted, by the genius of the composer, to the peculiar idiom of the French language; yet we are disposed to regard this celebrated composer, as the creator of dramatic music in France, and as the more entitled to the admiration of the musical world, as he commenced his career in that country by the production of a piece which not only retains now, after the lapse of fifty-five years, undisputed possession of the stage, but is regarded by the most competent judges as a chef d'œuvre heretofore unsurpassed, if it has ever been equalled, by the greatest masters that France, Italy, or Germany, have since produced. M. Castil Blaze remarks, that the blind man to whom a skilful surgeon restores the power of vision, does not experience an emotion more profound, a delight more pure, than those which must have been experienced on hearing the noble accents of Gluck, succeeding

to the extravagant compositions of the French—and such accents, too! the overture and the first act of *Iphigenie*—the most sublime productions which art and genius have as yet produced.

“Ce n’était pas assez,” remarks l’Abbé Arnaud, a writer of that period, “d’avoir créé une musique dramatique, il fallait des acteurs, des chanteurs, des symphonistes. Il trouva un orchestre qui ne voyait guère que des *ut* et des *ré*, des noires et des croches; des assortimens de mannequins qu’on appelait des chœurs; des acteurs dont les uns étaient aussi inanimés que la musique qu’ils chantaient, et les autres s’efforçaient de réchauffer, à force de bras et de poumons une triste, et lourde psalmodie ou de froides chansons. Prométhée secoua son flambeau, et les statues s’animent. Les instrumens de l’orchestre devinrent des voix sensibles qui rendaient des sons touchans ou terribles, qui s’unissaient toujours à l’action pour en fortifier ou en multiplier les effets. Les acteurs apprirent qu’une musique tout à la fois parlante et expressive, n’avait besoin que d’être bien sentie pour entraîner une action forte et vraie. Les figurans des chœurs, mis en mouvement, furent étonnés de se trouver des acteurs, et les danseurs furent encore plus étonnés de n’être plus rien sur un théâtre où ils étaient accoutumés à être presque tout.

“L’effet de ce spectacle fut extraordinaire. On vit pour la première fois, une tragédie en musique, écoutée d’un bout à l’autre avec une attention continue et un intérêt toujours croissant, faisant verser des larmes jusque dans les coulisses et excitant dans toute la salle des cris d’admiration. Les représentations, multipliées avec un excès qui semblait provoquer la satiété, ne firent qu’augmenter, la foule, l’émotion, l’enthousiasme. Un tel succès était trop éclatant pour ne pas faire des ennemis à l’auteur; car la médiocrité seule en est exempte. Les préjugés, les prétentions, la routine, le mauvais goût et les petits intérêts contrariés, réunirent contre Gluck les épigrammes et les hypothèses, les intrigues et les calembourgs. Les uns ne voyaient, dans les operas, que la vieille musique Française renforcée, les autres que la musique Italienne batarde; les uns trouvaient son chant plat et commun, les autres velche et baroque. On lui reprocha surtout de manquer d’unité et de motif, on alla même jusqu’à lui reprocher d’être Allemand; il lui fut impossible de se corriger de tous ces vices-là; mais tandis que les fins connaisseurs le déchiraient dans les soupers, la plus grande partie des musiciens étrangers et nationaux et des amateurs les plus distingués lui élevaient une statue.”

To *Iphigenie* succeeded *Orphée*, *Alceste*, *Armide*, all of which were received with enthusiastic applause, produced an effect equal to that produced by the former, and procured for their author the complete ascendancy over Rameau and all his other competitors. Dr. Burney, whose opinions we have had occasion to notice several times in the course of this article, remarks, that Gluck’s *Iphigenie* must have pleased the partisans of the old French music; for he so far accommodated himself to the natural taste, style, and language, as frequently to imitate and adopt them. Were this true, we should deduce from it an argument in favour of the old French taste and style; for if Gluck, in striving to accommodate himself to these, was able to produce so admirable an opera, it would naturally follow, that this taste and style could not be so bad as is contended by Dr. Burney. In saying this, it is not our intention to defend the taste and style in question; we have already expressed an unfavourable opinion of both; but merely to show that Dr. B., in his endeavours to decry the musical capacity of the French nation,

has been led into great inconsistencies. In another place he remarks, and always with the same object in view, that the chief obstacle to Gluck's fame "among his contracted judges," (Dr. B., it must be recollected, wrote his musical tour through Germany, from which we quote, in 1773, two years before Gluck's debut at Paris, and while the latter was at Vienna preparing his *Iphigenie*) is that there is frequently *melody* and always measure in his music, though set to French words, and for a serious opera. If, by contracted judges, the renowned musical Doctor meant the French audience generally, the event proved that his prediction was in default; for the enthusiasm excited at Paris by the *Iphigenie*,—even the charge of being deficient in melody, brought forward against Gluck's style by the *Lullists*, and the want of grandeur and dignity contended for by the partisans of Rameau, showed that melody and measure could be no obstacle to his success among the French, who, probably, were only in need of good models on which to form their taste, in order to attain that elevated rank among the musical nations of Europe which they now occupy.

But while in the full enjoyment of his triumph, Gluck was called upon to combat a rival much more formidable than any of those by whom he had as yet been opposed. We allude to Piccini, whose name was already in high repute in Italy, and who was known in France by a translation of his opera of *La buona Figliola*, and by a variety of concert pieces. This celebrated composer commenced his career at Paris, in 1778, with the opera of *Roland*. From this period, or rather from the very arrival of Piccini at Paris, may be dated the origin of that musical war, which was carried on with the greatest acrimony between the partisans of the two rival composers, and of which Grimm has given so spirited and amusing an account. "Oh happy times, when whole legions of amateurs and of enthusiasts, selecting the pit of the opera house as the arena for their battles, and defying each other in the most courageous manner, would attack a duett, sap the foundations of a chorus, and demolish the edifice of the most formidable finale. History has preserved the names of these heroes, who alternately impetuous and calm, lanced a shower of piquant shafts, (*traits*) or received with stoical coolness a rolling fire of quibbles and puns." How changed the times!! The Gluckists accused Piccini of being deficient in vigour of expression and in great dramatic effects; while the partisans of the latter would not consent to admit that the compositions of Gluck possessed any charms—noise and shrieks assuming, in them, it was said, the place of melody. For a while the daily papers and periodical journals of the capital were filled with disquisitions on the subject; and while even a Marmontel and a Laharpe entered the

lists as the champions of the Italian composer, a Suard, an Arnaud, undertook, with more success, that of his German rival.

Piccini produced *Atys*, and this opera, together with *Roland*, could have been long opposed with great chances of success to *Orphée* and *Alceste*. Indeed, a decided victory on either side would perhaps have never been obtained, had not an opportunity been offered to the two antagonists, which they accepted, of testing their respective powers, by the adaptation of music to the same subject. *Iphigénie en Tauride* was that selected. The two operas were performed about the same time; but that of Gluck obtained so decided a preference over the one composed by his rival, that the palm of victory, which had been so long and so violently disputed, was now finally awarded, by the almost unanimous consent of connoisseurs, to the German.

In 1779, Gluck brought forward the operas of *Echo et Narcisse*, *L'Arbre enchanté*, and *Cythère assiégée*, while Piccini, whose zeal was not abated by his defeat, produced in 1783 his splendid opera of *Didon*, which was soon succeeded by *Diane et Endymion*, and *Penelope*. "At present," as our author remarks, "when the passions have subsided, when the great masters of the art have irrevocably fixed their opinion of those two great rivals, and when all the amateurs concede to them the most merited tribute of admiration, it would be as absurd to refuse acknowledging a power of melody in the author of *Armide*, as energy of colouring in the composer of *Atys* and *Didon*. Piccini was one of the finest geniuses, one of the greatest composers Italy has ever produced; and though inferior to Gluck, was not the less a colossus."

As Gluck was a German by birth and education, and had long enjoyed a distinguished reputation as a dramatic composer, not only in his native country, but also in Italy and England, where several of his operas had been performed with considerable applause, previous to his arrival at Paris, it may perhaps be considered as somewhat foreign to our present object, to expatiate on the subject of his style, in an article devoted to the consideration of the French opera. Yet as his compositions contributed more effectually than those of any other composer, in weaning the French of their fondness for the meagre and monotonous music of Lulli and Rameau, and in purifying the musical taste of the *grande nation*; and as consequently the performance of his operatic compositions constitutes an era of considerable importance in the annals of the French lyric drama, we shall doubtless be excused for dwelling a few moments longer on the genius of that renowned composer. As may be readily presumed, from the place of his nativity and of his education, Gluck was a disciple of the German school of music. Versed in all the intricacies of the fugue, counterpoint, and of harmony generally, and disposed, from the

peculiarity of his physical organization, to indulge, in the fullest extent, in complex combinations of sounds, and rich modulations, he did not fail to enforce his compositions with all the effects that might be derived from such a source. Hence his operas are filled with duetts, trios, choruses, which may be cited for the fulness and splendour of their harmony, as well as for the ingenuity, beauty and fancy, in point of modulation and transition, of their orchestral accompaniments. Yet, while Gluck manifested a decided predilection for harmony, he was far from being deficient, as some have affirmed, in a genius for rich melody, as could be shown by a reference to passages of exquisite beauty with which his pieces abound. But this melody, though often simple, and always pure and appropriate to the sentiment intended to be expressed—though echoing from the deepest recesses of the heart, is more stately, of a more dignified and less flimsy character, than that of the Italian school generally, and is invariably enriched with a full and noble accompaniment,—less transparent, though no less effective, than that of his transalpine compeers. In dramatic music particularly, Gluck stands almost unrivalled, and we have no hesitation in joining in sentiment with Dr. Burney, relatively to the great superiority of his inventive powers in dramatic painting and theatrical effect, and to the expressiveness, energy, and elegance of his music. We believe, with some of Gluck's more modern eulogists, who have had the advantage of hearing the compositions of his immortal successor, Mozart, that it would be difficult if not impossible to find a composer who has given more truth of expression, than he did, to the most overpowering, as well as to the most gentle emotions, without having recourse to the vulgar embellishments which characterize the attempts of more slender geniuses—who has adhered more, and with more effect, to the genius of the language,—avoided more carefully a practice too common among some composers, of lengthening words to accommodate them to any particular musical passage, or of terminating them whenever they interfered with the melody; and yet contrived to compose music perfectly appropriate to the words, and productive, almost invariably, of the desired results. In further illustration of the great merit of Gluck as a dramatic composer, we might here point out, by a reference to many writers, the high estimation in which he is held, even at this advanced period of musical refinement, by the dilettanti of the various portions of Europe—France, Spain, Germany, Italy, and England. But as in so doing we would be led much beyond our prescribed limits, we must abstain from these references. The necessity of this is the more to be regretted, as we are persuaded, that the remarks we might have quoted, would have led our readers to the conclusion, that the musical taste and style of the modern French, founded as it is on a model which is so universally

admitted to be pure and exquisitely perfect, as well as on the true principles of the Italian school, of which Piccini was the worthy representative at Paris ; and perfected, moreover, by the constant performance, since the time of those two great composers, of the best models which their respective schools have been enabled to furnish, must necessarily be of a character too respectable to merit the sneers of foreign critics.

About the period at which Gluck retired, a composer, already advantageously known in Italy as the author of a fine opera, *L'Isola d'Amore*, Sacchini, arrived at Paris, and brought forward, in quick succession, three operas, *Renaud*, *Chimène*, and *Dardanus*, which, notwithstanding their merit, were not received with great applause, owing, it has with reason been presumed, to their following the great works of Gluck and Piccini. Mortified at a want of success, which he may have attributed to injustice on the part of the French audience, and moreover disgusted at the difficulties he experienced in bringing forward other works he had prepared for the Royal Academy of Music, Sacchini made the necessary arrangements for leaving France. But ere this project could be effected, he experienced an attack of misplaced gout, which terminated in death, in October 1786. The next year his *Edipe à Colonne*, which has been justly pronounced his master-piece, was performed. The success which this opera met with, is described as almost unparalleled, and immediately raised the reputation of Sacchini far above that of all the other composers who wrote for the French opera house, Gluck and Piccini always excepted. Sacchini left another posthumous, but unfinished opera, *Arvire et Evelina*, which was completed by Rey, the leader of the Academy of Music, and performed in 1788.

Already, in 1782, the *Thésée* of Gossec, and the *Electre* of Lemoine had been performed ;—in 1784, *Salieri*, the friend and disciple of Gluck, furnished the opera of the *Danaïdes*, in 1787, the *Prince de Garare*, and next *Les Horaces et les Curiaces*, and the *Antre de Trophonius*. Gretry, about the same time, produced *Céphale*, *Andromaque* *Colinette à la Cour*, *La Caravane du Caire*, *Panurge*, and several others.

While such were the proceedings at the Royal Academy of Music, the comic Opera was advancing with rapid strides in point of importance, and many pieces of that description by Gretry, Monsigny, Dalayrac, Champein, Martini and Dezèdes were performed with great applause. But though the favourite species of lyrical composition in the capital, as it had long been in the provincial towns of France, Comic Operas had not heretofore been honoured with a theatre exclusively appropriated to them, and were confounded, at what was called the Italian theatre, (where, however, Italian plays had long ceased to be represented)

with all kinds of plays, dramas, vaudevilles, and other light pieces. In January 1789, a new house was erected in the Rue Feydeau, under the auspices of *Monsieur*, the king's brother, afterwards king Louis XVIII., for the purpose of accommodating a company of Italian singers procured from Italy, and who had been compelled to abandon the theatre in the Chateau of the Tuileries, where they were at first installed, in consequence of the removal of the king from Versailles to Paris. The success of these Italians, though satisfactory at the commencement, soon subsided so considerably, that to insure patronage to the establishment, a set of French actors were united with the others, performed on alternate nights, and shortly after remained in entire possession of the theatre, owing to the withdrawal of the Italians.

We may well remark with our author, that the establishment of these Italians at Paris proved an object of great gratification to such of the Parisian audience as had already learnt to appreciate the beauties of Italian music—the value of a pure and classical style of composition; for they were thereby enabled to witness the performance of the most perfect compositions of foreign masters by a company of great power,—the *Barbieri di Siviglia*, *Il re Teodoro*, *La Molinara*, *L'impressario*, *La Villanella*, and the admirable *Nozze di Figaro* by Mozart. Nor was this the only advantage resulting from this occurrence, for the French composers and singers employed at the same theatre, imitating the models thus set before them, made considerable progress in style and execution. It is proper to mention here, that another theatre was erected about the same time, by or under the auspices of the Duke de Choiseul, for the accommodation of the actors of the Comic Opera house, who had originally been confined to a miserable building situated in a retired part of Paris, and afterwards transferred to the quarter of St. Denis. It was opened in April 1783, and subsequently received the name of Theatre Favart.

“The Theatre Feydeau, being now definitively established, the authors of lyric pieces had two routes for arriving at immortality. Every obstacle to the reception of pieces was now removed, and the young composer had no longer to suffer those interminable delays, by which he was forced to a state of inaction, and prevented from commencing his career before ten years of expectation; while he might have distinguished himself in each of those years, by an equal number of good works. Now, a piece was no sooner rejected at one theatre, then it was seized upon by the other; and the public was not deprived of a piece, which the caprice of the actors would have perhaps prevented from being performed. No sooner was an interesting subject selected at one theatre, than some other author composed a new opera on the same plot, presenting the latter under different points of view, and bringing into play effects of which the former had not thought. The same rivalry was established between the actors, the symphonists, and even between the decorators, and inspired them with a noble enthusiasm. The amateur derived pleasure from this contest, he applauded it

by running to the two theatres, to see the two *Lodoïskas*, the two *Romeos*, the two *Paul and Virginias*, the *Caverne of Lesueur*; and that of *Méhul*.

"At Favart, as well as at Feydeau, pieces were performed, in which music was combined with the spoken dialogue, and yet the character of those pieces was not precisely the same at each of those theatres. The comic opera house, faithful to its name, and possessing a great number of actors endowed with comic powers, restricted itself to the pieces which composed its repertory, and seldom admitted of serious subjects. The society of Feydeau, which, having no old pieces, was striving to create for itself a style of performance peculiar to it, and wishing to show off to the greatest advantage the enchanting talent of Madame Scio, gave the preference to dramas of the heroic style. *Télémaque* and *Médée* have all the pomp of tragedy, and could be performed at the theatre of the grand opera, if the recitative was substituted for the spoken dialogue. Annoyed by the delays of this theatre, and finding the necessary means of execution at Feydeau, composers wrote in preference for the latter. Hence we find that after *Œdipe à Colonne*, few pieces of a striking character were performed at the Royal Academy, which seemed to be wishing to enjoy some repose after that sublime effort."

At the Royal Academy of Music, Vogel, who had made his debut in 1786, furnished another opera, *Demophon*, and was followed by Cherubini, Méraux, Lemoine, Zingarelli, and Méhul. During the same period Gretry, Dalayrac, Cherubini, Devienne, Lesueur, Steibelt, Martini, Kreutzer, Bruni, Gaveaux and Méhul distinguished themselves by the compositions they furnished to the Theatre Favart.

In 1791, a complete and final separation of the actors of the Comic opera, established at this theatre, from those of the Vaudeville, was at last effected. The latter sought a more modest habitation, at some of the smaller theatres, which had been greatly multiplied during the reigns of Louis XV. and Louis XVI. Though comedies continued to be performed occasionally for a few years longer at Favart, yet these representations were of rare occurrence, and were invariably followed by an opera.

"Since the arrival of Gluck, the French school occupied a distinguished rank in the musical world. Foreigners it is true, could deny to us the legitimacy of our titles, and claim for themselves all our glory. Gluck was a German, while Italy had furnished us with Piccini, Salieri, and Sacchini. Our own composers, who were amiable musicians, added to the graces of melody much talent and power of imagination. But this is not sufficient for acquiring a name; and if we except Philidor and Gossec, no one among them possessed that profound science, that grandiose style, which command the admiration of every country.

"But at last the moment arrived, when our musical genius was destined to liberate itself from foreign domination. In 1793, the government brought together all the most illustrious composers, singers and instrumental performers of France, and the *Conservatoire de France*, (at first called institut national de musique,) that monument of our musical glory, was raised on the foundations of the old school of singing. The scattered documents, the various and sometimes contradictory theories, the principles professed by each master, all were collected, examined, purified, and the universal code of music—that doctrine which is clear in its elements, methodical as well as rapid in its progression, and certain in its results, was formed.

"MM. Gossec, Méhul, and Cherubini, were appointed to reveal the mysteries of counterpoint to the young pupils; while Catel, Berton, and Perue, learned theoreticians, taught harmony; Mengozzi, an excellent tenor, versed in the art of singing, aided by Garat the singer of nature, Richer and Plantade, imparted the principles, the traditions of that art, and added example to precept. The

Kreutzers, Levasseurs, Duvernois, Delcambres, Wunderlichs, and Salladins, formed a host of symphonists, who, combining feeling with unity of doctrine, and the vigour, the fire, the promptitude of youth, with maturity of talent, raised our orchestras far above all that had yet been regarded as the best. Then, and only then, did we hear in France the sublime productions of the Haydns and the Mozarts;—they appeared with all the charms of novelty, though our predecessors had tried them during twenty years. The art of composition, which had been too much neglected formerly, was now cultivated with as much ardour as success. Our masters equalled the prodigies of the foreign schools. Cherubini could, without exaggeration, be compared to Mozart, while Méhul could be placed between Gluck and Sacchini.

“The means of execution having thereby been augmented, and the orchestras being now filled with excellent musicians, composers made trial of new effects; and following the example of the author of *Don Juan* and *Figaro*, employed all the resources of harmony. The manner of Gluck had encountered much opposition; but the system of the conservatoire found a still greater number of detractors. Certain journalists, great eulogists of rhapsodies, announced to the French the deterioration of the art, and the return of the ages of barbarism, menacing the directors of the comic opera with total ruin, if they did not turn once more to those happy times, when the purest taste presided at the pleasures of Euterpia,—to those times when one listened with renewed pleasure to *Colin and Colette*, *Bastian and Bastienne*, repeating, in gothic tunes, their flat nonsense.

“If some heroic subject was presented, with a great display of harmony, it was because the pomp of the scene required it. The nuptial songs, (epithalame) of Jason, demand majestic and solemn chords; and the same magnificence which the husband of Medea displays on the stage, must be found likewise in the orchestra.

“One must be very whimsical to complain of the abundance of wealth. The serious opera has never excluded the comic opera. Did not the latter appear after the drama, and with a more simple apparel? These two species of performances, when presented alternately, formed poignant contrasts. After the noble accents of Stratonice, or the fury of Alberti, the amiable and sprightly music of *l’Epreuve Villageoise*, was better appreciated. Do we not see at the museum the death of Socrates near a Bacchanal, the grotesque figures of Téniers at the sides of the Warriors of David? Instead of writing against innovators in music, instead of criticising without regard or reason, compositions which, though sometimes unequal, are replete with beauties, every one ought to have applauded their success, and congratulated himself that two dramatic companies, animated by the same zeal, were willing to double their labours and their expenses to vary our pleasures.”

From the period above mentioned, until the year 1800, the Royal Academy of Music, which was now designated by the name which it received during the Revolution, of *Theatre des Arts*; and which had for some years past been almost exclusively appropriated to the performance of pieces composed expressly for national festivals, produced but few operas deserving mention in this place. Among these *Corisandre* by Langlé, *Adrien* by Méhul, *Hécube* by Fontenelle, and *Astijanax* by Kreutzer, are cited in terms of commendation by M. Castil Blaze.

In 1796, the *theatre Favart* signalized itself by the representation of many operas of much merit, by Della Maria, Boiëldieu, Dalayrac, Berton, Grétry, Tarchi, Eler, Méhul; and from 1800 and 1801 by those of Niccolo Isonard, Blangini, Boiëldieu, Duval, Dalayrac, while Plantade, Devienne, Dalayrac, Martini,

Gaveaux, Cherubini, enriched Feydeau with many new operas, which met with a most gratifying reception. It is clear, that even in a city more musical than the metropolis of France could be admitted to be, and in more tranquil and prosperous times, the revenues of two establishments such as the theatres Feydeau and Favart, in which pieces of a similar description were performed, could not be sufficiently great to meet their expenses, notwithstanding the pecuniary aid they occasionally, if not annually, received from government. Hence embarrassment began to be experienced about this period, and the negotiations which took place between the directors of these theatres, terminated in the union of them into one. In conformity with this arrangement, the actors of Favart were transferred in 1801 to Feydeau, which consequently became the only theatre at which comic operas were performed, and though by this union the beneficial results arising from competition were lost, the strength of the company was thereby considerably increased, and more ample justice was done to the works of the great masters employed to write for the establishment.

In 1802, Catel commenced his career as a dramatic composer at the theatre of Arts, where Grétry, Cherubini, Winter, Paisiello, Kreutzer, Spontini, Berton, Reicha, Aimon, Harold, Zimmerman, Rossini, have since brought forward a great number of operas of sterling merit, but the titles of which we are forced to pass by unnoticed.

During the same period, the managers of this establishment brought forward the *Mystères d'Isis*, which M. Castil Blaze considers as a burlesque imitation of the Zoberflöte of Mozart; as well as the Don Juan of the same author. But although these operas were performed for some time with success, they finally shared the same fate as the Marriage of Figaro, which had been performed at the same theatre in 1793—they were laid aside! Our author remarks, rather quaintly, that the ill success of these inimitable productions could not certainly be attributed to any fault of the author.

Niccolo, who had become one of the principal supporters of the comic opera house, composed, since the period above mentioned, a great number of pieces, many of which continue even to this day to be performed with applause. The example he thus set was followed by Boïeldieu, Champein, Dalayrac, Berton, Catel, Gaveaux, Cherubini, Méhul, Auber, Fétis, Paër, Caraffa, Harold, and many others we have not time to enumerate.

Our author has offered, in several distinct chapters of the first volume, many useful and interesting remarks on various points connected with the subject of his work—as *words, composition, harmony, melody, expression, &c.*—and in his second volume, has passed in review all the constituents of the musical depart-

ment of an opera—commencing with the overture and terminating with the music of the ballets. But to analyze his chapters on these topics, would lead us much farther than we can reasonably venture to go. Besides, the latter subject—the musical constitution or organization of an opera—is one of general import, applicable to the operatic compositions of all nations, and not to those of France specially, and ought on this account, and from its copiousness, to constitute the object of a separate article. M. Castil Blaze also devotes a chapter to the consideration of the state of the opera in the provinces, and leads us to infer, from the numerous facts and anecdotes he relates, that the amateur of dramatic music is justified in shunning the performances that are given, particularly of grand operas, in the majority of provincial towns. He also proves, in the most conclusive manner, that none but musicians can decide on the merits of composers, and on the comparative value of the productions of the separate schools—that newspaper critics and literary men generally, who are, with few exceptions, ignorant of even the elementary principles of musical composition, are totally incompetent for that task. On all these subjects, however, interesting as they are, we are forced to remain silent, and to refer to the work itself.

In terminating this article, it remains for us to make a few remarks on the present condition of the opera at Paris, and on the peculiarity of the French school of music.

Differing materially from its condition in the departmental towns, the opera, at Paris, is established on the most extensive scale, and has attained the highest degree of perfection. This praise is equally due to the grand and to the comic—to the French and to the Italian operas, which are fixedly domiciliated in that city, and to the German, with which the Parisians have been gratified for several successive seasons. Each division of the executive department of those establishments, the vocal and instrumental, is entitled to much commendation, and may even, in general, be pronounced excellent, and as perfect as can be desired. The orchestras of the three houses, but particularly that of the Royal Academy of Music, are full in every division, and surpassed, in respect to excellence, by very few in any part of the world. That they should be so cannot be matter of surprise, as they are filled with the most distinguished performers of the capital, most of whom have been pupils of the Conservatoire, and taught pursuant to the uniform principles adopted in that school; a circumstance essentially necessary for the perfect execution of orchestral music; while the direction is intrusted to individuals distinguished for their experience in the management of orchestras, for their deep knowledge in music, and often for their superior talents on particular instruments. The singers of the first of these establishments, the grand opera house, whether we have

reference to the principal ones among them, or to those intrusted with secondary parts, are on an equal footing, in point of excellence, with the instrumental performers ; and the amateur of good singing, who has had the advantage of frequenting that theatre, will not soon forget the powerful and mellow tones, the vigour of execution, and the exquisite taste of Adolphe Nourrit, Levasseur, Dabadie, and Madame Cinti Damorreau.

If from the grand we pass to the comic opera house, we find a combination of talent rarely met with in an operatic establishment. We find Ponchard and Cholet, the worthy successors of the Garats, the Lays, the Martins, and the Ellevioux, who for purity of tone, gracefulness and elegance in the management of the voice, expression and dramatic truth, are perhaps not inferior to any of their predecessors ; and whose only defects arise from the feebleness of their voices, and of their histrionic powers. On the subject of the singers of the Italian and German operas, we need not dwell long, as those of our readers who feel interested in matters connected with dramatic music, are in all probability already aware, that the first talents which Italy or Europe generally can produce, the Garcias, La Blaches, Rubinis, Davids, Donzellis, Pizaronis, Lalannes, Pastas, Sontags, are engaged there, either permanently or for a short period, in the first of these establishments ; while Germany has furnished some of her choicest singers for the latter.

In each of these theatres, the assistant singers are the best that can be procured ; the choruses are in full numbers, and excellently well trained ; the decorations and scenery, particularly those of the grand opera house, are remarkable for their splendour and correctness ; and nothing of what is likely to contribute to the magnificence of the spectacle, and to the illusion of the scene, is omitted. In a word, the amateur of refined taste, who is desirous of hearing operatic music performed in perfection, and accompanied with all the skill which orchestral performers are susceptible of attaining, whether that operatic music be French, Italian, or German, may be fully gratified by a visit to Paris ; where, indeed, such is the degree of refinement to which the inhabitants have attained, none but such decided excellence would be tolerated.

The charge adduced against the French by the generality of English, and some continental critics, and which is repeated over and over again by the former, in a manner indicative of a feeling of national jealousy, which it is high time to discard—the charge adduced, we say, against the French, of being destitute of a sensibility to tune and time, is almost too ridiculous to require a formal and lengthened examination in this place. To make it possible to substantiate this charge, it would be necessary to show that the French can neither sing true, nor march or dance in accordance with time ; for if they are able to do either of these

two things, it will fall to the ground. Now, we are bound to state, that so far as our own experience extends—and we shall not be deterred by a false modesty from affirming, that this experience has been ample, and is confirmed by the testimony of other individuals, both competent and impartial—we may safely pronounce all conclusions relative to the incapacity of the French for music, founded on this supposed deficiency of sensibility to tune and time, to be destitute of foundation; for it will be found, that not only few people sing in better tune, or are more sensibly affected by false notes in others, more alive to the effects of rhythm or time; but that few are more disposed to sing and exercise their skill on instruments, than this very nation, which is even to this day so shamefully abused on these points, by the scribblers of another nation, whose pretensions, in all matters connected with the arts, and music particularly, are far from having been satisfactorily shown to be well founded. Indeed, on all the points that have been mentioned, we are prepared to maintain, that the French are nearly if not quite on an equality with the most favoured nations—with the Germans and the Italians. The circumstances of greater or less aptitude and fondness for harmony, or of more or less imagination in melody, which form the characteristic of the schools of certain countries, and which the French may or may not possess, constitute questions very different from those of sensibility to tune and time, which an individual or a nation may manifest in a very decided manner, though unskilled in or destitute of a taste for learned harmony, or devoid of sufficient imagination to compose or relish brilliant melody.

Rousseau's opinion, in reference to the insensibility of the French, to the charms of fine melody, has been generally cited by those who contend for its correctness, and we are disposed to admit that the opinion of such a man, expressed in unmeasured language, in his letters, in his novels, and in his dictionary, on a matter in which he is supposed to have been fully competent to judge, is likely to go a great way with individuals already disposed, by the force of prejudice, to believe in the correctness of the charge. It should be recollected, that this opinion of Rousseau, was principally founded on the supposition, that the French language was inapplicable to a pure melody, a supposition which, as we learn from Grimm, and more positively from M. de Corancez, he ceased to entertain, after having heard the *Iphigenie* of Gluck, who, as he confessed to the latter of these writers, gave him the lie, (to use his own expression,) on all he had written on that subject. Rousseau's opinion was also founded on the fact that the French took delight in listening to a music which he did not relish, and opposed the introduction of Italian music, which he greatly admired. But we do not believe, that

from such circumstances, Rousseau was justified in drawing any other conclusion, even supposing that the music he admired was the better of the two—which we of course cordially admit to have been the case—than that the musical taste of the French people of his period, was not as good as that of other nations. Time, besides, has served to show the impropriety of such a sweeping denunciation, and the success of Gluck, Piccini, Sacchini, and others, which Rousseau witnessed, and which, as we have seen, made him alter his opinion on one point, ought to have led him to adopt a different sentiment on the other.

A circumstance worthy of notice, as showing the impropriety of attaching much weight to the opinion of Rousseau in reference to this pretended insensibility of the French to the charm of melody is this, that this writer composed the music of his *Devin du Village*, in imitation of what he regarded as the very purest models of the Italian school, and applied his melodies to French words. Yet, notwithstanding the impure taste, or as M. Castil Blaze remarks, in consequence of the impure taste of the French, notwithstanding that they were accused of being insensible to the charms of melody, and although the French language was pronounced capable of marring the best music, this little opera, as Rousseau himself admits, succeeded admirably,—was played night after night to crowded houses, while the most renowned pieces of the old school, *Egkè*, *Pygmalion*, *Le Sylphe*, could no longer draw a tolerable house! Now, if the charge of insensibility, to which we allude, had been so fully established, how could Rousseau account for the success of a piece which he may be naturally supposed to have deemed excellent? and secondly, if the language was really so decidedly inapplicable to melody, how did *he*, who, though an able musical critic and an admirable writer, was a poor composer, succeed in producing with it effects with which he was doubtless much gratified? For our part we believe that the success of the *Devin du Village*, indifferent as was this *intermede*, should have been hailed as an indication of the fact that the French were not so insensible to pure music, as they were maintained to be—that the failure of the Italian music, was merely the effect of prejudice, and of its being *not* set to French words; and that with proper instruction and good models, the French nation was susceptible of attaining a higher rank among the musical nations of Europe, than they then occupied; for though for the most part trifling and puerile, the melody of the *Devin du Village* was written, as already stated, in imitation of that of Pergolese and Jomelli, and was therefore purer and more expressive than that of Rameau and his school.

But we repeat, the opinion of those who at present pretend to

judge of the capacity of the French in musical matters, should rest, not on the peculiar taste they displayed at the time of Rameau; not on the music of that composer and his contemporaries; but on the taste they display now, and on the species of music they admire. Some attention should moreover be paid to the improvements they have themselves effected in the art, as composers and performers, and on the rank they now occupy among the musical nations of Europe. On this subject we must be allowed to offer a few remarks.

Although it is not to be denied that the Italians have been inventors in every department of the musical art, and that they, as well as the Germans, have perfected them all, it does not follow that the French, who it may be allowed were late in uniting their efforts to those of the former, have remained in arrears, and have not been instrumental in furthering the progress of music. So far from this, it is admitted that they should be regarded as inventors in some particular branches, and that they have hence exercised a real influence over the art. They have, moreover, shown themselves to be good imitators, and have, as is remarked by MM. Choron and Fayolle, the most impartial writers on music with whom we are acquainted, united to these imitations a sentiment and style peculiar to themselves, and introduced in their own compositions a degree of order, a regard for the rules of propriety, which other nations have too often neglected. In these respects, say the writers we have just cited, they have deserved to be looked upon as models worthy of imitation, and consequently, as possessing, in many respects, a school of music peculiar to them.

The French were, "at the period of the revival of the arts, the first to follow the example of the Flemings. Several French composers, such as *Regis, du Fay, Caron, Binchois*, and others, are indeed cited as having preceded them." "Others, as *Bromel, Mouton, Fevini*, &c. are mentioned as having marched on the same line with the Flemings; finally *Gombert*, whose name is evidently French, is cited by *H. Finck*, as having surpassed his master, the famous *Josquin*, and as having improved the art of the Fugue." "This splendour of the French school continued during the whole of the reign of Francis the First. But the religious troubles, which commenced about the year 1550, and continued until the latter part of the reign of Henry IV., the bloody and exterminating wars which they occasioned—the profanation of the greater number of churches, then the sole asylums of music, occasioned to the art a destructive blow."* Music was not much attended to by Henry IV., and though Louis XIII. was fond of

* Choron and Fayolle.

that art, it was not protected by Richelieu, who reigned under the name of that monarch. The troubles which occurred during the minority of Louis XIV. were still more destructive to the arts. There elapsed, therefore, a whole century, during which music not only was not protected in France, but was impeded in every way. Hence the French school remained during the whole of that period much in arrears of the Italian. It produced but few artists, and the most celebrated among them hardly reached the degree of mediocrity. Of the progress of the same school under Louis XIV., we have already spoken; and need not therefore recur to it; for what we have said on the subject, will be sufficient to show the gradual, though slow improvement that was made in the art, and the condition which the latter has at length attained.

Melody, as M. Castil Blaze has somewhere remarked, appertains completely to the province of the imagination. It is the result of a happy inspiration, and not of the calculations of science. Every one, with imagination and taste, is able to compose melodies. Knowing, as we do, that the French possess in no mean degree these two requisites, it would be impossible to find, *à priori*, any reasons why they should not be able to cope with other nations, in respect to capacity in melody, even did we not know by positive experience, that all that has been said on the subject of their deficiency in that department of the art, was destitute of foundation—the offspring of prejudice and ignorance in their accusers. We do not fear, indeed, to maintain, that few persons, competent from experience and natural capacity to judge in matters of this kind, will refuse to join Messrs. Choron and Fayolle, in the assurance, that when left to the effects of their natural impulse, the French have a kind of melody peculiar to them, and which is interesting by its frankness and its naiveté. In some parts of France this is more strikingly manifested than in others—as for example in Provence, where the people, while at work, extemporise melodies, which though irregular and deficient in variety, are often replete with passages remarkable for strength, originality and sweetness. The national airs of France are full of interest in relation to melody, and bear marks of originality which cannot escape the attention of the observer. In a word, French melody presents peculiar characters, which serve to establish a sensible difference between it and the melody of other nations, and is entitled, nevertheless, notwithstanding all that has been said to the contrary, to the regard of the connoisseur. But while maintaining this, we are not prepared to deny that the French have, in reference to melody, imitated the Italians; this, indeed, is a fact too evident to be denied. Nevertheless, it requires but a limited examination of the subject to perceive, that the imitation has not been as close as some have believed. We have already seen that Lulli,

who arrived in France at an early period of his life, effected a revolution in the music of that country—a revolution which we have every reason to believe did not turn to the advantage of the art. But be this as it may, the great Florentine innovator, full as he was of the melody of Cavalli and Cesti, engrafted it on that he found in France. From the two, there resulted a mixed kind of melody, which was in many respects, though particularly from its gracefulness and simplicity, entitled to much commendation. The successors of Lulli, who were very inferior to him in regard to genius and taste, abandoned his system as too simple; and neglecting the example set them by the Italian school, introduced into their melody those innumerable ornaments of which mention has already been made, and which by their affectation became a complete bar to simplicity and gracefulness. Under Rameau, who, as we have already stated, directed his attention almost exclusively to harmony, music experienced a still greater corruption, and a style of melody was introduced, remarkable for its monotony and absurdity. We have already recorded the struggle which prevailed for many years between the partisans of this system and those of the Italian, and which resulted twice in the triumph of the former. “At length, after a musical war which lasted more than sixty years, the national taste triumphed over the stubbornness of some individuals interested in upholding a false system. The labours of the Dunis, of the Philidors, Monsignys, Gretrys, Glucks, Piccinis, Sacchinis, and a few others, have given to France a melody of a peculiar character, in which Italian gracefulness is combined, as much as possible, with French wisdom” (*sagesse*.) In a word, the French melody of the present day is the result of a blending of Italian melody with the original melody of France, and we believe, we may add, with a little of the stateliness of the German. It is less airy and more energetic and nervous than the former, less heavy and more sprightly than the latter.

In harmony, the French were a long time behind the Italians and Germans, owing, it is affirmed, to the erroneous principles on which the science continued to be taught among them, long after a different and better system had been adopted by those nations. The Conservatoire of Music corrected many of the defects resulting from the method of instruction heretofore pursued; yet many French writers themselves admit, that neither that school, nor some private professors, who have diligently studied the best Italian and German masters, have as yet effected, in relation to reform, all that might be desired. It is not to be concluded from this, however, that French composers have not cultivated harmony, or introduced a due proportion of it in their works. Gossec, Méhul, Berton, Lesueur, and many others we could cite, have in that respect produced works, which need not

fear comparison with those of any other composers, whether Italian or German. We believe we may safely affirm, that an attentive examination of the Music of France, and a comparison of it with that of their transalpine and transrhenal neighbours, will lead to the conclusion, that the French are in general more fond of rich and full harmony than the former; but less so than the latter. When therefore we have regard to this circumstance, and to the fact mentioned in relation to their melody, we may conclude, that taken as a whole, their system of composition is a mixed one, in which both extremes have been avoided, and which consequently is entitled to praise. This blending of the two styles was indeed a natural result of the wealth and central position of France, which renders it an enviable place of resort, and one of easy access for foreign artists; of the peculiarities of its climate, which renders the nation alive to the diversified impression of melody and harmony; as well as of the circumstance, that the task of reform or innovation was intrusted to several great masters of the two schools of Italy and Germany. Nor should we neglect to notice the influence, in this respect, of the great encouragement that has been extended to the almost daily performance of the best productions of the two countries; for we know that nothing tends more to cultivate the taste for any particular style of music, than the frequent repetition of pieces composed in accordance with it.

"The Italians and the Germans," as M. Castil Blaze remarks, "are not all musicians; experience has concurred in forming their taste, and, as we all know, experience is often as good as learning. At Vienna, as at Rome, works feeble in invention, are sometimes performed. But the composition of those works is always excellent. This long series of operas, of a pure and correct style, has rendered these people sensible to the effects of harmony, to the progression of chords, to the march of a bass, as much as to the suavity of melody. There are every where connoisseurs endowed with a good taste, and who can appreciate the beauties of a composition, but the *servum pecus*, the mass of the people, are in need of guides." "By frequenting often museums, a person acquires a knowledge of paintings, vases, and medals." "Il n'y eut jamais, says M. Quatremère de Quincy, de meilleur juge dans les arts du dessin que le peuple Grec; parceque toutes ses villes, ses bourgades, ses campagnes, offraient une foule de statues et de monumens, et qu'on ne pouvait pas faire un pas sans recevoir une leçon." "Lorsque François Ier Louis XIV. et d'autres souverains de l'Europe, voulurent transporter chez eux les arts de l'Italie, ils ne lui demanderent point de leçons, ils y achetèrent des modèles."

A circumstance that proves that the French style is not so bad as is maintained by some self-constituted critics, is, that many

pieces composed by individuals of that nation are performed with success in Italy and Germany. *L'Hotellerie Portugaise*, *Les Deux Journées*, *Euphrosine*, *Helene*, *L'Irato*, *Aline*, *Jean de Paris*, *La Neige*, *La Dame Blanche*, are favourite performances in Vienna and Berlin ; other pieces have appeared on the theatres of Naples and Milan ; London has not refused its applause to *L'Irato*, *une Folie*, and to the music of the *Muette de Portici*, &c., while overtures, and detached pieces from French operas, are night after night performed at the best concerts, from one end of Europe to the other.

In the composition, and in the execution of instrumental music, the French have attained to great eminence. Could we dispose of more space than is allowed us on this occasion, it would be easy, also, to show that in church music, the compositions of Campra, Lesueur of Rouen, Lalande, Blanchard, Mondonville, Gossec, D'Haudimont, Giroult, Roze, and Lesueur, long the director of the music of the Emperor Napoleon, have contributed to raise very high the reputation of the French school in that department. The composers of that nation have greatly distinguished themselves in small or fugitive pieces, and in Romances particularly. "But the greatest glory of the French school, is in dramatic music. We do not mean that in this department it can be held in the light of an inventor ; but in borrowing from the Italians their dramatic melody, and combining it with the national one of France, it has formed, as we have said, a melody peculiar to it, and of an excellent character ; and by applying it to well conceived, and well written poems, it has given birth to the lyrical drama, properly so called, which is its almost exclusive property." (Choron and Fayolle.) It remains for us to remark, that the superiority of this species of musical composition in France, depends indubitably on the superiority of the national theatre of that country. "Frequent attendance," says a distinguished writer, whom we have already quoted, "at the theatre, the most perfect of all, has diffused so extensively the sentiment of dramatic proprieties, that the French spectators could not endure a work in which these proprieties would not be observed, whatever might be the merit of its accessory branches. Imbued with the same sentiment, with the same principles, the French lyric poets, and the composers, whether national or foreign, directed as they are by them, have, with a common accord, constantly laboured (*travaillés*) in accordance with the same system."

It results from all we have said on this subject, that in our opinion the French may be considered as possessing a school of music in many respects peculiar to them. If this be conceded to us, it will follow that the number of schools now extant in Europe, amounts to three ; the German, the Italian, and the French ; that the two first differ materially from each other ; the German

being distinguished by the large share of importance attached to a complicated and learned harmony, and, it may here be added, by a stately and expressive melody ;—the Italian by a great simplicity, and purity in composition ; by a less degree of dependence on the effects of harmony, and by a melody invariably sweet, flowing, expressive, and pure ; and finally, that the French school, though approximating on some points to each of the preceding—uniting the nervousness of the first to the gracefulness of the second, possesses characteristic features calculated to establish its independence of them both.

ART. III.—GOLD DISTRICTS.

- 1.—*Report (made by the Hon. G. C. VERPLANCE) of the Select Committee for the purpose of inquiring into the expediency of establishing Assay Offices within the Gold Districts of North and South Carolina and Georgia.* Washington : 1831.
- 2.—*An Historical Inquiry into the Production and Consumption of the Precious Metals.* By WILLIAM JACOB, Esq. F. R. S. In two vols. 8vo. London : 1831. John Murray, Albemarle street.

AMONG the objects of human industry, the art of working mines deservedly holds a high place. None indeed can rank before it in intrinsic importance, except agriculture ; and to this, if second as an art of absolute necessity, it is on the other hand superior in the higher degree of practical and scientific skill which it demands, and the consequent elevation it gives to the character of those that practice it. If by agriculture alone, the mere necessities and absolute wants of social life can be attained, it is imperfect in its processes, and disheartening in its labours, without the aid of the more abundant and less costly metals ; while without the assistance of the precious metals, as a medium of exchange, its products would lose in a great degree their convertible character. If the practice of agriculture alone, be sufficient to unite the human race in the bonds of social compact, and to cause it to assume some of the attributes of civilization, no high degree of cultivation can be attained without the practice of the metallurgic arts. Commerce may indeed bring the essential metallic products within the reach of countries purely agricultural, but manufactures can hardly be introduced into those where the metals are not found native ; and the working of mines will, in almost all cases, be the first step to that union

of commerce, agriculture, and manufactures, without which no nation can become rich and powerful, or assume the rank its extent of territory might appear to imply.

Iron is no doubt the most important and useful, and possesses the greatest intrinsic value of all the metals. Its great abundance however lowers its cost, and thus others, less applicable to general purposes, bear a higher price in consequence of their scarcity, and the cost of production. Others again, that might supersede iron in many of its most valuable applications, are, for this reason, restricted to purposes for which it is unfitted; yet even in these more limited uses, they possess a value that amply repays the cost of raising them from their mineral beds, extracting them from their ores, and preparing them for the market. Of these metals, gold possesses the most important and valuable qualities. Malleable and ductile beyond all others, it yields to iron only in the properties of welding and taking an edge; indestructible in the fire, and by exposure to the weather, its mass is hardly susceptible of diminution, except by continual wear; more beautiful in its colour than any other metal, more cleanly and pure, it is susceptible of application to innumerable purposes in science, in the arts of civilized life, and even in domestic economy; capable of extension in the most impalpable films, over the surface, not only of other metals, but of a vast variety of substances, it gives to them its rich colour, its brilliant lustre; protects them from the influence of the elements, and from many chemical agents; and imparts to them many of its own useful qualities. It is not then without reason, that it has become a standard of value almost universal; a distinction which it well merits, from its indestructibility, and from its convertibility, with undiminished value, to important purposes in innumerable arts.

This application of gold as a measure of value but slowly alterable, has invested it with an influence almost magic; has caused it to be sought with the most untiring patience, and the most insatiable avidity; until it has influenced the minds of men with a power almost supernatural.

The search of this precious product, has impelled hordes of barbarians to attack the barriers and overrun the confines of civilization; and its possession has converted them from uncultivated and wandering tribes, into polished and cultivated nations; it has been the cause of wars, of the desolation of fertile regions, and the extermination of redundant populations; it has again restored the former to their primitive luxuriance, and filled the vacant seats of the latter. To sum up its influence, in the words of the poet,

*"Auri sacra fames, quid non mortalia cogis,
Pectora?"*

Modern improvements in knowledge, have no doubt shown

that the precious metals are not in themselves wealth, except so far as they are convertible to useful purposes ; and that they are not even wholly indispensable, as the representations of value, and the medium of exchange. If, however, the latter part of the proposition be true in the abstract, it has hitherto, and probably must long be false in practice ; so far at least, that any conventional medium of exchange, must be the mere representative of the precious metals ; and if not redeemable in them, at the pleasure of the holders, will be subject to depreciation, and even to the total destruction of its value. Considered apart from its utility in the arts, gold has then a value in use of no small importance, and if this value be in some degree the result of the other, it on the other hand tends to enhance its price, and increase the demand for it. But while its value on both accounts is universally admitted, it has been long and seriously debated, whether the possession of the mines whence it is drawn, be not even more injurious to a state, than would be its absolute want. It has even been maintained, that the industry devoted to the search of gold is not merely unprofitable, but actually injurious to the morals, and even to the wealth of the countries which produce it. Moralists have ranked it among the corruptors of our species, and ancient legislators have endeavoured to exclude it from their commonwealth, as injurious in its tendency ; while more modern reasoning has pretended to see, in the possession of mines of gold, the poverty, and the decline, of nations once powerful and illustrious.

Such views, if not wholly false, are at least exaggerated. The mere possession of gold is not more demoralizing than that of wealth of any other description ; and the moderate enjoyment of either seems to be rather favourable than injurious to human virtue. The mere pursuit of wealth, whether in its great and general constituent—property of every description, or in its most dazzling representative, is, when restrained by feelings of honour and honesty, far from impairing the moral sense. Nay, from the habits of order, regularity and temperance, which it will frequently, and indeed, most generally, produce, it may, so far as human eye can reach, or the good of society alone is in question, serve as a substitute for virtue.

The direct pursuit of gold is, however, in some of its forms, distinct in its character and effects from other kinds of human industry. There are regions comparatively abundant in this metal, in which it may be sought for months or years without yielding to the greater part of the labourers more than a scanty subsistence, while others may become suddenly enriched, and acquire at a single instant, a return sufficient to repay the exertions of many years. In this form, the search for gold resembles gambling, and is often attended with the same demoralizing effects ;

it is in truth a lottery, in which the larger prizes are few but rich, and where the smaller do not refund the original cost of the chances. It thus happens, that while occasional good fortune, confined to a few individuals, stimulates others to perseverance, the mass of the labourers, in districts where gold is washed from alluvial deposits, are more poorly remunerated for their labour, than those employed in any other branch of human industry.

But were gold to be found under circumstances similar to those in which the more abundant metals exist; did its discovery and reduction require a definite capital to be invested, scientific knowledge and practical skill to be called into action; did the profits amount to a fair remuneration for the use of the capital, the risk of the adventure, the knowledge, the skill, and the labour employed; the working of mines of this metal would be of equal value, in a moral point of view, with any other legitimate branch of industry; while they would be superior in national importance, from the comparatively stable nature of the value of the product.

Hitherto the most abundant source of gold has been in alluvial deposits, in the sands and gravel of rivers, and in beds formed in cavities of the soil of countries. Rivers rolling golden sands have been famed from the most remote antiquity, and in such situations most of the gold of commerce is still obtained. The Pactolus is celebrated as the source of the enormous wealth of Cræsus; the Danube, the Rhine, the Rhone, and the Tagus, have in their turn been explored for gold. These European, and that Asiatic locality, are now exhausted, or at least would not repay the cost of working them. In some of the rivers of Transylvania, it is still washed from the sands; but by far the greater part of the gold obtained in this way is now brought from Africa, where the rate of labour is so low, that this method may still be profitably employed. In Mexico, and in New-Granada, much gold was until very recently obtained from alluvial soil, as it also was in Brazil. In the latter country, however, as in the others we have before cited, it has ceased to be sought with profit.

Gold and platinum are among the few metals which have hitherto been found in quantities sufficient to repay the labour of working them, in alluvial deposits. In the first place, their superior value, and particularly that of the former, renders them a valuable product when their absolute quantities are far less than those of any other metal existing in a similar geological position; next, their indestructibility when exposed to the weather, prevents their disintegration, and consequent dissemination; and finally their great weight enables them to resist the action of currents of water, so that the metals which had been originally diffused through many successive deposits of alluvion, will remain, after the lighter matters have been washed away by the action

of the same cause that originally moved them. Thus, while the earth and the oxides of less dense metals may have been carried on to the ocean, the gold will remain in positions not far distant from the veins whence it was originally removed. Auriferous deposits will therefore have been the result of the action of centuries; hence when exhausted they are not renewed, and thus the regions that in former ages furnished gold in abundance, now yield it no longer.

That the gold which is found in alluvion, must at one time have existed in mineral veins in the mass of the earth, is an opinion which cannot be controverted. It has, however, rarely happened that these original sources have been discovered. That this has not been done, seems to have arisen from a want of judgment in conducting the search. The great density of gold, obviously renders it probable that it cannot have been removed far from its original site, by the action of water. In spite of this natural result, the veins have been most usually sought in the mountains where the rivers in whose sands it is found take their rise, instead of in the immediate vicinity of the deposits. It has also been imagined that the pure gold of the deposits is in the same state in which it formerly existed in the veins, and hence mineralogical indications have been passed over, which might otherwise have led to the discovery.

Still, veins containing gold have been known to exist, and many are now worked. Their discovery, however, appears to have arisen from other causes, than direct research growing out of the alluvial deposits which they had formerly supplied. Thus it occurs in Granite in the province of Salzburg; in Gneiss in Upper Hungary; in Mica slate in the Tyrol, in Hornblende rock in Sweden. In Galicia in Spain, veins of gold were worked in succession by the Phœnicians, the Carthaginians and the Romans. Veins of gold are also known in the provinces of Oaxaca in Mexico, and Antigonía in New-Granada; and all the silver ore of those countries contains more or less gold. The richest, however, which are known, are those of Brazil. It has already been stated that the washing of alluvial soils had ceased in many places to yield any valuable products. It was hence imagined that this portion of the mineral wealth of that country was exhausted. But about the year 1811,* an individual of unusual intelligence, who had purchased an estate on which gold had been obtained, and which was ceasing to be profitable, inferred that he was only working the mere refuse, and neglecting the source whence it proceeded. He therefore searched the hills above the alluvial deposit, and found a bed of micaceous iron stone containing lumps of gold. This was worked by him with profit from the

* Walsh—Notices of Brazil.

year 1811, in which the discovery was made, until 1825, when it was sold to the "Imperial Brazil Mining Association" for £70,000 sterling. This ore is now worked with great energy, and yields on the average ten pennyweights to each bushel of the formation. Another vein had been previously opened in the same vicinity, but was lost through want of proper precautions, the workmen having been buried by the caving in of the shaft.

Gold, then, besides being found in alluvial deposits, when from its imperishability and density, it is almost the only valuable product, exists also in the body of the earth, under circumstances similar to those attending the ores of other metals. But it has been so little sought in such positions, that we may rather judge by analogy from what is found in other mines, of the character and properties of those of gold, than from any positive knowledge that has yet been attained in respect to the latter.

With the exception which has been stated of gold and platinum, tin and iron are the only metals that are sources of profit, when found in alluvial deposits. The latter is so very abundant in every formation, that no deposit can well occur, which does not contain it, and it sometimes exists in recent formations in large quantities. Tin, also, is found in some basins of the county of Cornwall, in solid masses. But these two metals may, with alluvial gold and platinum, be rather ranked as exceptions to the general rule. They are also found in far greater abundance, in sites analogous to those which furnish the other metals. Magnetic iron is sometimes found stratified among primitive rocks, and the coal formations contain regular strata of iron ore. Such strata are not found of any other metal, and we may therefore at once conclude, that there is no probability of gold being found under similar circumstances.

The general geological site of the metals, is in veins, that traverse the various formations. Veins have the appearance of having once been fissures or cracks, in the solid crust of the globe; these have been afterwards filled up by substances of a character different from that of the rocks they traverse. The origin of the fissures is obviously the same as that of the faults, which traverse, in a similar manner, all the more ancient formations; and the substances they contain, seem to have been introduced in the same way as those which compose the great dykes, that are often to be seen, sometimes extending throughout the whole depth of a formation, and at others making their way without change of direction through several.

There are evidently two methods possible, in which the veins may have been deposited in the cavities they fill: they may have been injected from beneath, or they may have been filled by the material passing over their apertures in a liquid form. There can be little doubt, that veins may have been formed in both

these modes. The former is, however, that which is the most common, and the only one which we can admit to have acted in the more ancient formations. The veins that exist in rocks of this character, have in consequence never been pursued to such a depth as to be lost; and there is no reason to believe, that they will be found to cease, until the mineral masses, whence they have originated, are reached; and these probably lie far beneath the limit which can be approached by human exertion. Veins too are often pursued through several different formations, and seen to enter into the very lowest, thus leading us to infer that many of them are, like those which exist only in the older rocks, indefinite in depth.

The horizontal extent of veins is also very great. The same vein has frequently been traced for many miles, and has in some cases been followed, until the rocks in which it exists dip under the next superior order. We cannot however infer that the horizontal extent is like the vertical, indefinite.

Veins often exist, wholly devoid of metallic minerals. Such are the granite veins, now known to be of frequent occurrence, but which on their first discovery caused a great sensation in the scientific world; the veins of quartz that traverse the strata of gneiss, mica, and clay slate; and finally in this class may be arranged the dykes of porphyry, trapp, and basalt, which are so abundant in rocks of almost every date. Veins that are metalliferous, are rarely composed, even for the greater part, of the ores they furnish. More usually they consist, on both faces, in contact with the rock they traverse, of earthy minerals. These are, according to their position, above or below the vein styled its roof or its floor. This rocky mass, which thus encloses the metallic ores, is called their gangue. Neither is the ore the only mineral substance embraced by the gangue; nor is the metallic portion of the vein always, or even generally, confined to a single substance of that class. The ore therefore usually derives its name from the metal in most abundance; but in the case of the precious metals, from that of the greatest value. Thus even the abundant metal iron, is mixed with various others, as, zinc, tetanium, and arsenic, and the veins that contain it, often abound more in gangue than in metal. The mixture becomes greater, as the metal becomes more and more rare; copper, for instance, besides volatile matter, is generally so much mixed with iron, that it must be repeatedly exposed to the contact of air, at an intense heat, in order to oxidate the latter. The most valuable, perhaps, of the ores of silver, are sulphurets of lead, in which the silver does not exist in sufficient quantity to change their crystalline structure; such are the more frequent of the ores of the famous mine of Potosi. In veins which yield gold, that metal forms a still less portion of the whole. When they have not undergone decomposition, the gold is dis-

seminated in filaments, often extremely minute, throughout the gangue; or it is mineralized by sulphur, iron, and arsenic, in such a manner as to be wholly imperceptible, except to chemical analysis.

The ore that forms the original source of by far the greater portion of gold, is probably an arsenical sulphuret of iron; such is at least the case in the mines of North Carolina; and from what has been observed there, we conceive that strong presumptive evidence may be drawn, that such is the case in other countries. We shall return to this question in the sequel, in describing more particularly the mineral riches of that section of our country.

The gangues of the veins that contain metals, are of a very great variety of mineralogical character. Thus quartz, carbonate and sulphate of lime, the sulphates of strontia and barytes, felspar, and numerous compound rocks, exist as the roofs or floors of metalliferous veins. In these are imbedded crystallized minerals, that frequently stud their drusy cavities. Veins are in consequence not only the principal object of the search of the miner, but most interesting to the mineralogist, who seeks for the materials of scientific examination, rather than for articles of direct practical value.

The breadth of veins is as variable as the substances of which they are composed. We have connected them in their origin with dykes, but the connexion may be further extended, until we see in the cause discovered by De Beaumont for the elevation of mountains, the same action that has given rise to the most minute veins. These masses are, however, again intersected by veins, and there is a limit, beyond which the term vein cannot be extended. To determine this exactly, is difficult, as it would be hard to decide at what degree of extent we shall abandon its application to the granitic masses, which in breadth from a few inches to that of many miles, appear to have been protruded through the overlying strata.

Veins that are rich in metallic ores, are however of comparatively small breadth; they are sometimes extremely minute, and never exceed a few feet. Their breadth is far from constant, sometimes contracting to a limit so small that it is hardly possible to follow them, and at others spreading out widely. It is in these wider parts, that the metallic contents of the vein assume the greatest bulk, in proportion to the gangue; but it also happens, that in the thinner parts of the vein the ores become richer.

Veins then are irregular masses of unknown depth, and horizontal extent, but which, when metallic, are never more than a few feet in thickness.

Those veins which contain a given metallic substance, in any

particular geological formation, usually appear as if they belonged to a single system, and to have been formed at one and the same period, by one general cause. Other veins, containing other metals, often intersect these, of earlier or later geological date. The best instance of this sort which has been fully explored, is that found in Cornwall; the veins of which country have been so long worked, that they are perhaps better known than those of any other region. The veins of tin which exist in Cornwall, are obviously more ancient than those which furnish copper; and of the latter there are three different systems of different ages. This difference of date is determined by observing which of the veins cuts and divides another; the more modern will of course be that which passes the other without being interrupted; and the more ancient will have its course broken.

Their inclination to the horizon obviously cannot be constant; still there is generally a plane in mean position, by which their inclination to the horizon can be measured. This inclination may be at every possible angle, for veins in mountains whose stratification is much inclined, may be nearly horizontal, while in other cases they are found vertical.

The existence of veins is discovered by their outcrops at the surface, either of the natural ground, or where it has been worn away, and they have been intersected by water courses. In the latter case, their inclination may be often ascertained by mere inspection; in other cases, it becomes necessary to open shafts, or cut the vein in its own direction. A knowledge of the general inclination of a vein is indispensable in forming a plan for its proper and profitable working; it is therefore essential that it should be the object of preliminary research; and when it has been determined, to the depth of twenty or thirty feet, it rarely happens that any important error can arise in taking the mean inclination within this space, as the general inclination of the vein.

The certainty with which scientific miners predict the precise depth at which a vertical shaft shall strike a given inclined vein, or the distance to which a horizontal tunnel must be driven before it intersect it, is often a matter of surprise to the ignorant. The principles on which such predictions rest, are, however, sure and simple; but the geometric processes on which the calculations rest, and by which the works are to be directed, are among the most difficult in practical surveying. The profession of engineer of mines, which requires this as the basis of a great variety of other scientific knowledge, is one that in consequence requires no small degree of elementary knowledge; and they must be improved, and rendered applicable by opportunities for practice. This profession is almost unknown among us, and the skill it demands lies almost wholly in the hands of a few intel-

ligent foreigners, either graduates of the European schools of mines, or who have attained their skill in the mines of Mexico.

Without the aid of scientific skill, mines are rarely productive of profit. They may occasionally enrich fortunate individuals, but are, upon the average, rather a drawback than an improvement to the general wealth.

The history of gold mining in the Brazils, may serve to illustrate this. On the first discovery of alluvial deposits of gold in that country, many persons acquired such riches, as to lead the population of whole provinces to abandon their regular and profitable industry, and embark in the search for gold. The result was, that the remuneration for their labour was less than it would have been had they continued to apply themselves to agriculture; while in addition, large extents of fertile soil were irremediably ruined, by throwing up, over the vegetable mould, the unproductive substances that contained the metal. When the washing of alluvial soil would no longer afford even the means of subsistence, veins were sought for, but these were in general pursued only so far as they could be opened out at the surface. To use the words of Walsh—

“They never penetrated out of the light, and when a vein dipped, it was immediately abandoned, and given up as a thing altogether beyond human pursuit.

“At the time the English companies were formed, the generality of the inhabitants of Rio considered that the speculators were about to bury their capital in an unprofitable and hopeless pursuit, and, what is more extraordinary still, this opinion was entertained by many in the province itself, and in the very neighbourhood of the richest mines. They could not comprehend what could induce the English to come and mine in Brazil. A Brazilian called upon my friend Mr. Duvall, shortly after his arrival at Rio, to entreat him to disclose, by the aid of what wonderful instruments he would be enabled to discover where the gold lay under the ground, without having to dig for it. Was it a glass to see through the soil, or an iron possessing some magic power to indicate the presence of the precious metal? Without some such assistance, he was sure the English would not be such fools as to embark in a pursuit, which they, on the spot, could not render profitable.”

Universal experience appears to prove that the search for gold in alluvial deposits, is not a sure source of general wealth, and rarely enriches more than a few individuals. The opening of veins at the mere surface, is also but seldom attended with any great amount of profit. Neither of these however requires either great skill or large capital. It is otherwise with the enterprises that seek veins at a considerable depth; these call for scientific skill, to determine the mode of working and manner of approaching the vein; require powerful machinery, to raise the water with which the earth is charged, and to elevate the ore and rubbish of the mine to the surface; galleries must be run, and shafts sunk, to establish a circulation of air, and lead the water from the veins to the place at which it is elevated; and finally, as such enterprises must be extensive, in order to be profitable, appa-

ratus for extracting the metal, of great extent and cost, must be provided. Large capital must therefore be embarked in such enterprises, and its application must be directed by talent and acquirement of a high order. If the risk of the monied investment, and the skill with which it is applied, be adequately remunerated, a mine may be said to be doing well; and thus it happens that the real value of veins, however extensive, is rarely great; and sites for mining are rather to be regarded in the light of positions, in which money and intelligence can be profitably employed, than as possessing in themselves any great intrinsic value. To a country, as forming a point of attraction for extrinsic capital, and the means of employing a large population, they will be of immense importance; but, considered as individual property, a vein is of little account. A want of proper reflection on this subject, has led, in the gold region of our country, to many ruinous speculations. It has been conceived sufficient to secure the veins, if known to be rich, at any cost, however great; while no calculation has been made of the capital which will be required to work them, nor any sound reflection, that even the largest capital, if applied without skill, is rather a more rapid road to ruin, than a sure means of success.

A metallic vein, unless its inclination to the horizon be very small, should never be opened at the surface. The ore, in the first place, is rarely as rich as it is beneath, in consequence of having for ages been within the reach of extrinsic causes. In the second place, all working of this character tends to embarrass future proceedings, and will often lead to subsequent expenditures, greater than all the profit that can be derived from it. We may state the most obvious of all the reasons why this should be the case. The great trench, which a working open to the light forms, becomes a channel which must often be the most direct course for much surface water; this will enter the vein, and follow its direction, and thus not only involve a greater regular expenditure for drainage, but will often, during heavy rains, prevent all attempts at reaching the ore from beneath.

A vein, it may also be stated, is always more advantageously worked between two different levels, by commencing at the lower one, than it is by beginning at the upper. In the former case, the ore and rubbish fall from the miners to the lower points, the moment they are separated, and the water subsides to the well provided to receive it; in proceeding upwards, the number of men that can be applied, will increase at each step in arithmetic progression; the air too, except in coal mines, will be always pure, for both the carbonic acid of the mine, and that generated by respiration, will fall by its gravity to the lower points.

On the other hand, in working downwards, every piece of ore or rubbish must be raised from its place by main strength; the

water will be continually descending to the place of working ; and the foul air will be continually accumulating, unless removed by sufficient ventilation ; and this must be artificial, and therefore costly.

Surface working being rejected, the depth at which a vein is to be struck is of great consequence to its being successfully explored. If struck at too small a depth, it gives access to a quantity of ore, that may often be too small to repay the expenses ; for the quantity which will be rendered accessible by a given shaft, may be said to vary nearly with the square of the depth. On the other hand, the preliminary expenses of sinking a shaft, the cost of draining machinery, and of raising the ore, will all be enhanced by an increase of depth. The relative advantages and disadvantages of different depths, at each different site, may be made a subject of strict calculation, into which the method of maxima and minima might be introduced with advantage.

It must also be taken into account, that the whole of the machinery, and most of the galleries and shafts of the mine, will become useless, so soon as the portion of the vein rendered accessible by them, shall be exhausted ; it therefore follows that a sufficient extent must be attempted, in order to be sure that the whole of their cost shall be fully reimbursed, before it is necessary to throw them aside, and make new arrangements. It may thus happen, that in two positions of exactly equal natural advantages, one undertaking, with the command of sufficient capital to erect powerful machinery, and reach the vein at a considerable depth, shall yield enormous profits ; while another, restricted for want of funds to less costly preparations, shall be ruinous to the parties concerned in it.

An examination of the locality will determine, whether a vein must be approached by a vertical shaft, excavated and drained by pumping machinery ; or whether it may be reached by a gallery. A careful survey of the ground, compared with the direction and inclination of the vein, will point out the proper position for a shaft that will reach it at some given depth ; or enable the place whence the gallery is to be driven to be properly chosen. In the latter case, it may be stated, that it should always be placed at the lowest possible level, which will secure the discharge of the waters which it will have to convey. In respect to the shaft, it may be taken as a general rule, that it should never cut the vein ; but should be so situated, that the latter may be reached by a gallery at the required depth ; the shaft must therefore be sunk to such a distance beneath its union with the gallery, that a well may be formed before it can cut the vein, which will receive any excess of water, growing out of local causes, or the temporary derangement of the pumping machinery. That this is a proper precaution, will be at once seen, when we consider that the veins being

almost always more open in their structure than the rocks in which they lie, become water-courses; and that, when they are cut by a shaft, the fluid must rise in the latter, upon the principle of a liquid in a pipe; it may therefore suddenly increase to such an extent, that no machinery will discharge its first impetuous flow. It will hence be obvious, that veins, unless nearly vertical, can generally be more advantageously approached from the side of their roof, than from that of the floor. Local circumstances may occasionally render this mode of approach impossible; but it is often better to incur great apparent sacrifices, than to venture to approach a vein from behind.

When mines cannot be reached by means of horizontal galleries, the water must be extracted by machinery. This may be driven either by animal power or by steam. The latter has, in almost all cases, a decided advantage, from the regularity and certainty of its action. Still, animals may necessarily be employed for temporary purposes, and may even be best when the depth is not too great. Pumps, either forcing or lifting, are adapted to the action of the steam engine alone, but where animals are to be used, they must be rejected. The continual circulation in one direction, and in the same path, speedily destroys horses or even mules; and pumps waste a very great proportion of the moving power. The horse-gin, the *Manège du Maraicher* of the French, is the best application of animal power to such a purpose which has yet been discovered. If to this be adapted the Mexican bucket, formed of leather instead of wood and iron, by which plan a great and useless weight is removed, the most advantageous application which has hitherto been made of animal power is obtained. In this apparatus two buckets rise and fall alternately, full and empty. The horses, therefore, after having moved in a circle for a time in one direction, are turned when the buckets reach their lowest and highest points, and move for an equal length of time in an opposite direction. Thus they not only apply their strength advantageously, but by the frequent changes of direction, are preserved from the distress to which a continual circulation exposes them.

So far, the same general principles apply to mines of every description. It will be obvious that they must be modified by the peculiar circumstances in which the different metals exist. Those metals which are most abundant in nature, are also found in greater quantities in the veins that yield them. It hence follows, that the capital necessary for profitable working will be less, almost in the inverse proportion of the abundance of the metal. We say the necessary expenses, for it will sometimes happen, that the very abundance of the ore will authorize great original expenditures, although the product may be of low price. Coal

mines might, if included within our general view, be cited as an instance of this sort.

When the ore has once been raised from the mine, each particular variety requires its own peculiar manipulation and treatment, in order to obtain from it the pure metal. These vary not only with the species of metal, but with the quality and richness of the ore; with the nature of the earthy substances that form its gangue. So also will the fact, whether the ore contain volatile matter, have a great influence upon the manner in which it may be most successfully reduced. We must therefore abandon any further general investigation, and restrict ourselves to the consideration of the treatment proper for the ores of gold.

When gold is found in alluvial deposits, it may be disseminated in grains of all sizes, from some pounds in weight, down to such as are invisible to the naked eye. The larger pieces may be picked out by the hand; to separate the residue, the process called washing must be resorted to. In this, advantage is taken of the mechanical agency of water; which is capable, at different velocities, when running in a stream, or merely agitated, of moving earthy or metallic substances, of different magnitudes and densities. If, therefore, a mixed mass of heavy metal and earthy matter be placed in a vessel, water poured upon it, and the vessel agitated, the finer particles of earth will be first removed, next the coarser, while the metal will remain behind. This simple principle has been modified in various manners, from the rude callibash of the African gold-finders, to the beautiful and efficient machine of the Ch. V. de Rivaflinoli. In this, the earth to be washed is reduced to fine powder, and mixed up with water; in which state, it is introduced into a tube placed in the middle of a tub, and reaching nearly to its bottom. In the space surrounding the tube, horizontal arms revolve, bearing spindles; these give a rapid centrifugal motion to the muddy liquid as it rises from the lower end of the tube. By this, the earthy portions are retained in a state of suspension in the liquid, while the heavier parts subside. The water containing the former is permitted to escape at apertures pierced at different depths in the side of the tub, which are opened in rotation, as the operation proceeds; the upper ones being first opened. During the discharge from each of these, the liquid is kept up to the level of the aperture by the addition of fresh water, and the process is considered complete, when the water runs clear from the lower aperture. As much as this had been gained by some previous machines, although they had not come into general use. The greatest of Rivaflinoli's improvements upon former inventions, consists in removing the washed ore from the bottom of the tub, by which the necessity of dismounting the whole of the apparatus is avoided. This machine may, of course, be moved by any appropriate me-

chanical agent, according to the circumstances of the locality, and is likely to prove of vast importance to the mining districts of our country.

The soil to be washed, ought in all cases to be prepared, by being crushed to a certain degree of fineness, which will differ according to the nature of the apparatus. If the gold be intimately combined, mechanically or chemically, with other substances, in addition to a preliminary grinding, it may be necessary to employ the process of amalgamation.

When gold exists in veins, it may be occasionally, and is often in a metallic state, forming filaments of greater or less size, in earthy minerals or rocks. These require to be stamped and broken into small pieces, before they can be subjected to the operation of grinding. Should the metal be mineralized by sulphur and arsenic, these must be separated by a careful roasting, and the ore will still probably demand that it undergo the action of stampers. These are arranged and driven by machinery, in a mode very similar to that in which the pestles of rice and powder mills are set in motion.

The operations of grinding and amalgamation, may be performed at the same time, and in the same apparatus; and it is in these that there is room, not only for the greatest choice in the form of the machinery, but for the greatest exhibition of skill and intelligence in the conduct of the process. Gold being of a highly malleable character, does not break under the action of pressure, or even of direct exposure to blows; but is spread out into thin plates or leaves. Between it and water there is no attraction of cohesion, so that the thin leaves may, in spite of its density, become buoyant on the surface of water. Without proper precautions, then, they will be liable to be carried away, in the subsequent process of washing. So also, the process of amalgamation, by which the gold is caused to unite with mercury, must be performed by long and continued trituration. Great as is the mechanical attraction that exists between mercury and gold, the density of the latter is an opposing force, which requires to be overcome by adequate mechanical means. When a metal is lighter than mercury, that liquid seems as if it were drawn into the pores of the other, by a capillary action, and the union is rapid and complete. Thus a sheet of tin foil, dropped upon the surface of mercury, will be rapidly corroded by it, and speedily disappear. It is otherwise with gold; the only species of motion which seems adequate to compel the mercury to take up every particle that exists in a mixed mass of earth and metal, is one similar in principle to the slab and muller of paint grinders. To render even this effectual, the substance exposed to it must be reduced to impalpable powder. For this purpose, it must be ground in water, the presence of which has an important influ-

ence in facilitating the mechanical means by which refractory bodies are crushed and divided.

So great is the difficulty which attends these important parts of the processes, that it very frequently happens, that no inconsiderable portion of the gold contained in the ore, escapes the action of the mercury, and as has been explained, floats off in the course of the washing.

The best form of apparatus which has yet been introduced, for the double purpose of grinding and amalgamating, is the Mexican mill or *arrastre*. Our American miners are indebted for the introduction of this, to the same gentleman of whom we have spoken as the inventor of the best washing machine. Previous to this date, the form of mill used in Chili, had been most generally adopted. This is probably not employed in that country without sufficient reason; in North Carolina it has been found inefficient, leaving in many cases half the gold the ore originally contained. In all the experiments we have seen with the two apparatus, there was a difference in the product, more than equal to the whole expense of this part of the process. We are however inclined to think, that a combination of the two methods would produce the greatest product. The Chilian mill, in which a circular stone is carried round on a horizontal axle, and which turns upon a bed, seems admirably adapted to the purpose of crushing the ore, but is insufficient to produce that steady and regular pressure requisite in amalgamation. But to judge from the analogy of other metallurgic processes, it should be applied to the ore when in a dry state. It will therefore probably answer as an intermediate process between the stampers and the Mexican *arrastre*. The amalgamation having been completed, the combined gold and mercury must be separated by washing, a process whose principles have already been mentioned. The clean amalgam is then freed from any excess of mercury, by straining it through leather. It remains that the mercury should be separated; this is done by distillation. The distillation of the mercury is at present effected to great advantage, and with little loss, by heating the amalgam in a close cast iron retort. The introduction of this has very much lessened the expense of obtaining the precious metals from their ores. In the earlier form of this process, the whole of the mercury was wasted; even with all the improvements previous to the introduction of close retorts, much was dissipated. Now, none need be lost, except what is converted into oxide by the long and continued trituration to which it is subjected in contact with the air. This appears, from actual observation, to amount to about ten per cent.

That the state of North Carolina contained mines of gold, was first ascertained about forty years ago. Dr. Thornton, long at the head of the Patent Office of the United States, seems to deserve

the praise of having, at a very early period, satisfied himself of their great importance. Still he was unable to draw the attention of the public towards them, and derived no individual benefit from his knowledge. For thirty years past, the proprietors and occupants of land in Cabarras and Montgomery counties, have been in the habit of washing the beds of streams, and masses of gold of considerable size were occasionally found. One of these weighed twenty-eight pounds, and others from four to sixteen pounds. Similar deposits were subsequently discovered in Anson and Mecklenburg counties. No idea however appeared to be entertained, that these rich beds have their source in the immediate vicinity ; and the existence of veins appears to have escaped an observer as acute, learned, and intelligent, as Professor Olmstead. That gentleman, in 1821, limited the extent of the gold region to a circle eighteen miles in radius, described around a point distant about eight miles from the junction of the Uwharree and Catawba rivers, in a direction west by south.

That regular veins, containing ores of gold, existed in this region, was the discovery of Mathias Barringer, to whom the general prosperity of the Southern States will hereafter be under the greatest obligations. While washing the sand of a small stream for gold, he observed, that on ascending the stream, the deposit wholly ceased, at a particular place. Just at this place, he perceived a vein of quartz running into the bank at right angles to the course of the rivulet. On examining this, he found gold in place in the quartz gangue. Such at least is the account in the papers attached to the report of the Committee of the House of Representatives. We have, however, seen rich and beautiful specimens of this ore, containing gold in the metallic state, disseminated through a gangue of sulphate of barytes, which has probably been mistaken for quartz. Of all the veins which we have examined, or of which we have seen specimens, it is perhaps the only one, that when observed by a person unskilled in chemical analysis, could have been at once pronounced to be rich in gold. If, then, the discovery of Mr. Barringer was undoubtedly the result of an admirably combined system of reasoning, it owes its success to an accidental natural circumstance.

This vein having been discovered, a search was instantly made for others, in various parts of North Carolina. Indeed, to a traveller in that country, the only wonder now is, that they could have so long escaped notice. From characters which we shall hereafter describe, these veins remain permanent in a soil formed of decomposing rocks; they are therefore to be seen, conspicuously traversing the country in every direction. Many of them, no doubt, contain no gold, but most of these will probably be found rich in other metals, when a sufficient degree of scientific skill shall be brought into action; and when the more enticing quest

for the precious metals, shall have in some measure abated. Some of the veins that contain gold, have already furnished a considerable proportion of sulphuret of copper; and although it may not be, in these cases, sufficiently abundant, to induce the working of them, for this product alone, it may even here be a valuable collateral object; while it seems to furnish an indication, that larger masses of it are not wanting in the neighbourhood. Veins are now known to exist, in Cabarras, Mecklenburg, Anson, Montgomery, Davidson, Guilford, Rowan, Lincoln, and Randolph counties; and rich alluvial deposits have been discovered in Rutherford and Burke. Such is the rapid progress of discovery, that even this extensive list, we should be inclined to say, does not at the present moment comprise all the districts of North Carolina in which gold has been found.

The country in which veins have been explored, is of a very peculiar geological character. On a first inspection, all its more level parts appear to be merely alluvial, or at any rate diluvial deposits. In Randolph and Chatham counties, however, rises a groupe of granitic mountains, to a height which is estimated to be at least 1500 feet above the level of the sea. Between this groupe and the Blue Ridge, extends a wide valley, in which the Yadkin and Catawba, with their tributaries, flow. The greater part of the soil of this valley is a red adhesive loam, interspersed in many places with a white tenacious clay. The former is so similar to the soil in the valley of the Raritan, that a mere superficial inspection would lead us to suppose that it was formed by the decomposition of red sand stone, as is the case with the soil of that region. A very remarkable feature, however, presents itself, which at once leads to a doubt whether this supposition be correct. Veins of quartz are to be seen traversing the loam and clay, in a variety of directions, and protruding their hard undecomposed masses, wherever the soil has been worn by streams, or cut in the formation of roads. It might hence be inferred, that this soil is formed by the decomposition of some older rock, which these veins had at one time traversed. That this is the case, is speedily perceived on a closer examination.

The whole country, so far as the influence of the external air has reached, or where it is exposed to the alternate action of the atmosphere, is composed of the friable substances we have mentioned; but so soon as the level of perennial springs is reached, rock is discovered. This rock is of two distinct characters, whose geological relation to each other is not yet clearly ascertained. One of these rocks is a true and perfect granite, the other a hornblende rock, or greenstone. It seems questionable whether both of these be granitoid rocks of the same date and geological character, or whether the greenstone have penetrated the granite in dykes, and spread upon it in overlying masses; or again, whether

the greenstone be not secondary. From the occurrence of columnar greenstone in perfect dykes, and from the appearance of the upper soil, it might be inferred that the second is the more probable of the three opinions. On the other hand, it is to be urged, that in the Charlotte mine, which has been pursued to a greater depth than any other, no appearance of dykes has been manifested; for the veins seem to traverse both the greenstone and granite indiscriminately, without undergoing any change, whether in breadth, in constitution, or in direction.

Both of these rocks are liable to speedy decomposition on exposure to the air; the felspar of the granite passes into kaolin, and constitutes the base of the white clay soil, of which we have spoken; the iron, which forms so great a portion of the other rock, assumes, on contact with the atmosphere, its highest state of oxidation, and gives to the loam its peculiar red colour. The latter rock appears to be the origin of the whole of the soil of that peculiar colour, which forms so great a part, not only of the state of North Carolina, but of Virginia; gives their rivers the colour of blood; and forms the surface of their richer alluvial valleys.

Between the granite of North Carolina, and that of Cornwall in England, in which tin is found, there is a strong and remarkable similarity. Both are rapidly decomposed on exposure to the alternate action of air and moisture; both are permanent wherever they are protected by water from the action of the air. In hand specimens it is impossible to distinguish one from the other. The granite of Cornwall is overlaid by clay slate. This is also said to exist in the gold region of North Carolina;—we must confess that we were unable to discover it, and all our observations led to the conclusion that the country is primitive in its character.

The granite of Cornwall is traversed by veins and dykes of porphyry. May not the greenstone of North Carolina replace this rock? The mines of Cornwall have been worked for more than twenty-five hundred years, and are now pursued at a great depth. Are we not authorized to conclude, from analogy, that like those, the veins which yield gold are inexhaustible? No vein in North Carolina has been yet followed more than 120 feet from the surface, while in Cornwall veins are worked in an identical rock to the depth of 1600 feet.

Although the veins which contain gold, are themselves permanent, even where the rocks they traverse have been wholly decomposed; this is not the case with the imbedded ores. The gold, of course, where imbedded in quartz or other earthy mineral, is unchanged, and appears with its metallic lustre and other characters. But the veins are full of cavities, in which is imbedded a pulverulent ochry substance, the greater part of which is peroxide of iron. In other and higher parts of the vein, pure sulphur

is often found, and the inference is almost direct, that the two substances have arisen from the decomposition of sulphuret of iron, at a heat sufficient to sublime the sulphur. This inference is confirmed on penetrating to those depths at which the decomposition of the rocks that contain the veins ceases. Here the pulverulent oxide is no longer to be seen, and the veins become in many instances compact masses of quartz filled with imbedded pyrites. The most perfect illustration of this fact, is to be seen at Capp's mine, in Mecklenburg county. In this, after the miners had pursued the vein to a depth of forty or fifty feet, in the form of fissile cellular quartz, filled with peroxide of iron, they came suddenly to a hard and refractory mass. In the absence of all experience, they concluded that the vein was exhausted, and were about to abandon all further search. The advice of an intelligent foreigner urged them to proceed, and taught them, that they had only reached the point at which the vein could be considered as having developed itself. This opinion is confirmed by the result; for the product of the mine has so far exceeded all expectation, and all the arrangements which had been made for reducing the metal, that 80,000 bushels of the ore lie at the present moment at the mouth of the mine, waiting the erection of new machinery.

Where the contents of the vein are in a decomposed state, not only does the quartz exhibit visible particles of gold, but they may be also seen in the earthy oxide of iron. Still, experience seems to show, that those ores in which the sight, even aided by a magnifier, can detect no trace of that metal, are the richest. Where the decomposition ceases altogether, no gold can be distinguished by the sight, except the little which is imbedded in the gangue. This is in all cases of but small account, the principal riches being confined to the oxide of iron in the former case, and to the pyrites in the latter. In the pyrites, the gold appears to be completely mineralized; and the simple inspection of the mines of North Carolina, will destroy the frequently repeated theory, that gold is never found except in a native metallic state. Its affinity for iron and sulphur is well known, as well as for arsenic; and thus, although it cannot be found in nature, in a state of combination with oxygen, for which it has so feeble an attraction, its existence in combination with the above named substances, is perfectly consistent with its chemical character.

It is a fact, which at first sight appears remarkable, that masses of gold of considerable weight, are never found in the veins, and are wholly confined to the alluvial deposits. These masses also often present every appearance of having been melted. The piece weighing about nine pounds, that formed the most conspicuous part of the collection to the value of \$25,000, found within a

very small space, seemed on inspection as if it had been formed by accidentally spilling the contents of a crucible upon the ground. Both of these circumstances may, we conceive, be readily accounted for. The spontaneous combustion of pyrites by actual combustion, on alternate exposure to air and moisture, is a familiar occurrence. But in a vein at considerable depth, the access of air would be too slow to make the combustion complete, and thus the sulphur of the pyrites would be partially sublimed. Rising to the upper parts of the vein, it would be deposited, and on a succeeding igneous decomposition would be inflamed. It is easy therefore to conceive, both that a quantity of sulphur, which would generate heat enough to melt the gold, might be accumulated in the upper parts of the vein, and that it might be inflamed and produce that effect. Thus in the upper part of a vein, the contained gold might have run into molten masses. To these upper parts, the alluvial action, by which the stream and surface mines are formed, is confined; thus we can easily see why they should yield masses of the character which has been described; and when we consider the long date of alluvial, and perhaps of diluvial action, and take into view the floods of water which fall in rain in that country, we can easily conceive that the whole of such masses might have been carried away, leaving no analogous products in any of the veins. In corroboration of this theory, it may be stated, that at Rudesell's mine, in the vicinity of Charlotte, the substance in contact with the roof of the mine, is of such a character as would have been produced by exposing the greenstone to the action of heat out of contact with air. It has thus been enabled to resist decomposition, while at no great distance from the vein, the whole ground has passed into the form of red loam.

The richness of the ores, found in these veins, is extremely various. They may perhaps be like those of Mexico, ranked in the general class of poor ores; but like them, they more than make up for their poverty, by their abundance. Even where the gold is visible, and portions of the vein present the appearance of great riches, the average product may not be great; and it is, as has already been mentioned, a rule almost general, that those veins in which the gold is wholly invisible, best repay the cost of working. On an average, it may be stated, that where the ore yields twenty grains of gold to each bushel, it will pay all charges, and in addition, interest upon the necessary capital. A great proportion of the veins yield at the rate of one to one and a quarter pennyweight per bushel; while the richest ore yet worked is that of Gelston's mine, which does not produce less than eight pennyweights. Such, however, is the difficulty with which the approach to this rich vein has been attended, that it has not hitherto yielded that remuneration to the enterprising

company who work it, which they so fairly deserve. This difficulty is however overcome, in a great degree ; and no doubt can be entertained that it must, ere long, yield enormous profits.

This same company possesses several other mines, which are all in a state to promise immediate returns for the capital invested, although that is great. The several establishments of this company, offer remarkable instances of perseverance and patience, in overcoming obstacles which were entirely unforeseen at the moment their operations commenced. Against these, they have manfully contended, and well merit the final success that appears to await them. Like many of their neighbours, they neither anticipated the vast cost, nor the long delay that must be incurred, before such enterprises can be brought to maturity ; but unlike many, they did not abandon their investments, and give up the pursuit, so soon as the nature and character of the obstacles became apparent.

If the operations of this company present a marked example of the power of perseverance and courage, to overcome natural obstacles, which were unforeseen, those of the Mecklenburg company at Charlotte furnish an instance of that foresight and skill by which all local obstacles have been foreseen and provided against. A description of this mining establishment, the most perfect in its plan, and the most complete in its detail, which has yet been formed within the United States, may not be without interest.

At the time that the intelligent and scientific director entered into possession of the premises, the only vein which was accessible, had been worked to such a depth as to be no longer productive, without great additional expense in machinery for draining. Two other veins were known to exist in the immediate vicinity, and two more have been since discovered. Although the pursuit of the first was not abandoned, but continued with additional means, the partial operations necessary for that single purpose, formed no important part of the great plan of operations. In order to bring all the five veins at once into play, a vertical shaft was opened, at a distance of nearly four hundred feet from the outcrop of the first vein, on the side of its roof ; and having between it and that vein three of the others. This shaft it is proposed to sink to the depth of 300 feet. At this distance from the surface, the most distant vein will be accessible by a short gallery, and the others will be previously cut out at different depths. The fifth vein has its outcrop close to the shaft ; and although it must be approached on the side of its floor, a mode we have stated to be, generally speaking, faulty, still this is not only justified by strict calculation, upon the circumstances of all the four veins, but is rendered absolutely necessary by the nature of the ground.

A steam engine of twenty-five horse power is erected at the mouth of the shaft to drain it of water; to do this it will be adequate, even when the greatest depth is attained. It will not, however, be necessary to proceed at once to that depth, for at about one hundred and fifty feet, three of the five veins may be readily reached, and advantageously worked. This engine is single acting, and condensing—a kind less expensive in its consumption of fuel than any other. To separate the two operations of draining and raising the ore, this engine has only the former duty to perform; the latter will be executed by animal power. The perfect workmanship of this engine, and the inherent power it possesses, of adapting its own motions in exact conformity to the very variable resistance it is intended to overcome, have been a matter not only of surprise to the ignorant, but of well-founded admiration to the most intelligent.

In making preparations for the manipulation of the ore, two methods presented themselves; to perform it wholly upon the spot, by a steam engine; or to make a partial use of the water power, already brought into action by the former proprietors. The latter, although variable from the nature of the climate, was too valuable to be abandoned; and although insufficient of itself, was a useful appendage to other machinery. Hence, a middle course was chosen; a steam engine was provided to do the greater part of the work, and the water power brought in as an accessory. This steam engine drives twelve Mexican arrastres of nine feet in diameter; two smaller ones, with twelve stampers, and two washing machines, are driven by the water power. The whole will grind, amalgamate, and wash, twelve hundred bushels of ore per week. Mere verbal description can give little idea of the performance of this machinery; it will therefore suffice to say, that it is in all respects complete and perfect in its operations, except so far as the older parts, which are driven by water, have not been wholly replaced. It is not only in the skilful plan of all the mechanical parts, but also in the complete system of subordination, order, and regularity, that has been introduced, that this establishment may be deservedly cited as a model.

As a mining country, North Carolina possesses many advantages over those whence the chief supply of precious metals is at present drawn. Wood, for all the purposes to which timber is applicable in mines, and for fuel, is yet abundant, and will continue so, if any proper precautions be taken, for many years to come. As fuel indeed, such is the rapidity with which the forests restore themselves, that no fears need be entertained that it will ever become scarce. The communication with the sea-coast, by the way of Charleston or of the valley of the Roanoke, is level, and although the roads are yet bad for want of necessary care, this is an evil, that, so soon as the necessity is felt, cannot fail to

be remedied. In addition, the Catawba and its tributaries are navigable to the southern borders of the state, and it will be a matter of little cost, to render them so into the very heart of the mining regions.

These streams also afford many convenient sites for water power. It may, however, be stated as a general rule, that it will be found more advantageous to use steam, than to employ water, as the moving power for machinery. The latter, indeed, can be preferred only upon the banks of rapid streams, where mill dams are unnecessary, in consequence of the force and abundance of the current. In other cases, it is both precarious and dangerous from its irregularity; often failing altogether, and at other times accumulating in such quantities as to overflow the mills, and threaten destruction to the dams. It also happens very rarely, that a mill site can be found in a convenient position to a mine; and rich ore will not bear carriage without being liable to waste; while the poorer ores will not repay the expense of a transportation of more than a few miles. One other prominent objection to the employ of water power, except in sites such as have been just described, exists in the injury to the healthiness of the country, which is produced by ponded water.

The region in which the mines are situated, is rich and fertile. If improvident modes of farming may have injured its original power of production, it still affords all the essential articles of food, in the highest abundance, and at low prices. Labour, even of white hands, is as yet comparatively cheap. It is therefore by no means necessary that slave labour should be employed. For many processes of the mines, that species of labour is wholly unfit; and it is believed that there is hardly any possible case, in which the products of free labour will not be superior to those derived from the employment of slaves.

Except in the immediate vicinity of stagnant waters, the whole district in which the mines are situated is extremely healthy; even there, the malaria is to be found only for a few weeks, and never produces diseases of a malignant cast. Strangers alone are affected by them, and natives of the country wholly escape. Extreme imprudence and exposure may, indeed, cause sickness, but the consequences are not more certain, nor more likely to be injurious, than in the most healthy regions of the North.

To those unacquainted with the manner in which the metals exist in the earth, in quantities and proportions that have, when combined with the demand for them for useful purposes, fixed their relative value; the very name of a gold mine carries the idea of a source of unbounded wealth. Others, again, who have become acquainted with the misery and poverty entailed upon regions where the inhabitants, misled by this false notion, have neglected to take advantage of their soil and climate, and devoted

themselves, without skill, and without capital, to the precarious search for alluvial gold, have acquired a prejudice against this species of pursuit. The true view of the subject is, unquestionably, wholly different from either of these opinions. Mines of this metal, like all others, should be worked after a mature examination of the nature of the ores, and the circumstances of the locality; and an adequate capital must be invested in opening them, and providing the necessary machinery. This capital will then return a profit of greater or less amount, according to the skill that has been shown in the selection of the veins, and with which the process of reduction is conducted. Accidental *bonanzas* may occasionally occur, that may suddenly reimburse the capital, and yield exorbitant profits. Such instances, however, are rare in all mines, and they ought not to be calculated upon. Mining for gold is then a legitimate object for the application of skill, intelligence and capital, and is thus analogous to any other species of manufacturing speculation. Considered in this light, it is capable of conferring incalculable benefit on the country in which it is pursued, by introducing foreign capital, forming habits of industry, exciting the people to the acquisition of knowledge and skill, and still more, by opening at the very doors of its agriculturists a sure and advantageous market for their staple commodities.

It is a very common opinion among the inhabitants of districts which yield the precious metals, that the persons who bring intelligence and capital to work the mines, abstract the natural wealth of the country. Every bar or ingot exported is regretted by them, as if it were their own personal loss. Such jealousy has been strongly marked in the Brazils, as is stated by Walsh, and it has not been without its influence in North Carolina. Those who entertain such feelings, do not take into account, that by far the greater part of the value of all exported metals, has been actually expended in the cost of producing them; that in this cost is included large profits which have accrued to the agriculturists, the artisans, and mechanics of the country; and that in this way the reduced metal has already added to the general wealth. Much, too, of the profit, will become permanently invested, by the parties who are attracted to the spot by the prospects of wealth, or of applying their skill to advantage.

So far then from discouraging the introduction of extrinsic capital, and grieving at the export of the products it yields, a wise policy would seek to encourage its investment by every reasonable facility. The most certain and effectual of these, would unquestionably be, the granting of charters of incorporation, upon easy and liberal terms. Individuals whose own resources would allow them to enter into the costly investments that can alone insure large profits, could not be tempted to undergo the labour,

anxiety, and difficulty, attending a new establishment, and a change of residence. Hence adequate capital can only be obtained by the formation of joint stock companies. In these, however, no prudent man will embark, and intrust his funds to agents over whom he can, from distance, have no effectual control, unless he be secured from any loss beyond that of the sum he may have originally subscribed. On the other hand, the security of the parties who may have commercial dealings with such companies, must be attained by providing, in an effectual manner, that the capital shall be punctually and fully paid in, and permanently invested.

The work which we have placed at the head of this article, is a report on a petition to the National Legislature for the establishment of a branch of the mint in the gold region. Great as might be the convenience of such a measure to the vicinity of the position in which it shall be placed, we cannot see that its influence can be very important; and we feel satisfied that it will not produce the good effects the Legislature of North Carolina have anticipated in their report, which forms an interesting part of the documents that accompany the report of the Committee of the House of Representatives. However central may be the position of such an office, it will in most cases involve too great a delay to send gold to it for examination; and except in the immediate vicinity, the metal will follow its usual channel to the mint at Philadelphia, for coinage, or to the port of New York, to be shipped for Europe. Thus a single office, or even one in each state which yields gold, will not be generally beneficial, and to erect and maintain more than one, will involve too great a cost. Neither could gold in bars be made the basis of a sound undepreciated and undepreciating currency. Either of the precious metals must have a price at the works by which it is reduced, less than it will have elsewhere. From its value at the place of export, or at the mint, must be deducted the whole cost of transporting it thither. More must, of necessity, be produced by mines in activity, than will supply the demand for a circulating medium, or for a sound basis for circulation. The whole surplus would, if it entered in any form whatever into circulation, bear a depreciated value. The precious metals must follow, in this respect, exactly the same law as any other natural product.

We conceive that all the beneficial effects of a branch of the mint, or of an assay office under the direction of the general government, might be attained by local inspections. These might be multiplied with the demand, and their creation is unquestionably within the reserved powers of a state government. The right of coining consists in fixing the standard fineness, and prescribing the weights of the pieces of the precious metals used as money,

and fixing the rates at which they must be received in payment of debts. But there is nothing in this ceded power, which can preclude a state from enacting, that any one of its metallic productions shall not become an article of commerce within its own bounds, until the proportions in which it is alloyed with other metals has been ascertained; or from prescribing the exact manner in which its weight shall be ascertained. An ingot stamped by a state officer, and bearing with it a certificate of its fineness and weight, will be a readily saleable article of commerce; and in a region yielding gold, coin will be no more.

Our views have been limited to the State of North Carolina. In this, gold was first found, and in this, the most important mines still exist. The search for this metal has, however, taken a wider range, and has been in this range successful. South Carolina is said not to be without it; Georgia possesses both veins and rich alluvial deposits, as does Alabama. In Virginia, two different districts have been found to yield gold; and thus from the Potomac to the southern extremity of the Blue Ridge, a formation exists, at no great distance from that chain, which promises to be a source of riches. This is often interrupted by deep valleys filled with alluvion, or covered by overlying strata, but has no doubt been originally continuous. In information in respect to any other part of it, but that included in North Carolina, we must confess ourselves deficient. The other regions are, however, now undergoing examination; and this examination promises to give us full and satisfactory information in respect to them, which we do not doubt will hereafter furnish matter for interesting discussion.

The history of the precious metals is an object of curious and interesting inquiry. At the present day, when they are employed in so many arts of usefulness or luxury, we can conceive that they should have a value which will at least pay the cost of producing them. But how, in the infancy of trade and the arts, they should have assumed that permanence of price which rendered them fit to be the representation of the value of other commodities, as well as the medium of exchange, it is difficult at the present moment to conceive. It is probable that their superiority over copper and its alloys, for every species of domestic use, combined with their relative scarcity, stamped them at an early date with a character which caused them to be highly estimated. Ages however seem to have elapsed, before even gold exceeded iron in value, however highly it may have been estimated above all other known metals. Among the relics of the ancient Scandinavian and Slavonian people, weapons are found, the mass of which is of gold, and no more than the mere edge of iron, evidently showing an inclination to spare the expenditure of the latter metal, by the free use of the former. In whatever way the impression of the precious nature of gold and silver may have

originated, we find them employed, at the date of the earliest records, as the medium of traffic. The oldest commercial transaction in history, is that of the purchase by Abraham of a field for the burial place of his wife, which was paid for in silver, "by weight, according to the custom of the merchants."

No sooner was a value, by convention, and in use, set upon the precious metals, than they began to be sought with avidity. This search was, however, conducted in a mode, and upon principles, wholly different from those which now direct mining operations. Asia, the original seat of civilization, was from the earliest times also the seat of despotic power; its very smallest governments had that character; and the consolidation of the great empires which successively extended their conquests over its surface, only changed the persons of the rulers, or reduced the petty monarchs to vassalage, without affecting the condition of their subjects. The mass of the people had the rights neither of life, liberty, nor property. Silver, as of less value, may have been abandoned to be sought by private enterprise; but wherever gold existed, it became the property of the rulers, and the most merciless servitude was inflicted upon those who were compelled to seek it. The wealth accumulated by Solomon seems an exception to this rule. In whatever manner it may originally have been withdrawn from the earth, it seems to have reached his hands by the course of a legitimate and lucrative trade. The same may also have been the case with the metallic treasures of the Tyrians, although they probably, as their descendants the Carthagenians certainly did, established colonies in Spain, who reduced the natives to slavery, and compelled them to work the mines.

The unlimited command of labour, at the price of a scanty subsistence to the labourer, which was possessed by the ancient rulers, enabled them to execute works that modern governments would not venture to undertake, and accounts for accumulations of the precious metals, which at first sight astonish us. To pass over the estimates, probably fabulous, of the masses of gold and silver collected by Ninus in his conquests, and of the colossal golden statues erected by Semiramis, we have evidence, that in the seat of empire, on the banks of the Euphrates, immense treasures must have been hoarded, in the size of the image of gold erected by Nebuchadnezzar. Down to this period, it seems more than probable that all the gold, wherever found, became the property of the rulers; and, hoarded by them, had no other circulation than the occasional change of owners in the revolutions of empire, and the wars to which these hoarded treasures furnished the strongest incentive.

Thus shut up from the access even of the air, and increased from year to year by all that was found, the treasures of the rulers of those countries in which the precious metals were pro-

duced, must have accumulated almost beyond conception. We have two instances on record, by which we may judge of the amounts that sometimes centred in a single hand. The presents of Cræsus to the oracle of Delphi alone, amounted to about fifteen millions of dollars ; and Pytheus, the petty king of a small district of Lydia, tendered to Xerxes, to assist in his expedition against Greece, nearly eighteen millions of dollars in gold. In this last case, we have an exemplification of the manner in which these riches were collected. It appears that the unfortunate subjects of Pytheus were driven to the work of the mines with such unrelenting severity, as to not only endanger their lives, but to render the means of subsistence scarce, for the want of hands to till the ground.

The formation of the Persian empire produced a change in the distribution of metallic wealth. The produce of the mines was no longer directly grasped by the sovereign, although much of it finally centered in his hands in the form of tribute. Still there was no absolute impediment to individual accumulation ; and of the tributes, much was consumed in the necessary expenses of government, before they reached the treasury of the monarch. The surplus of bullion transmitted from the several provinces of his vast empire to Darius Hystaspes, amounted, notwithstanding, to about sixteen millions of dollars. But this surplus was not all hoarded ; the objects of government could no longer be attained without the expenditure of money, and it became necessary to coin the gold, and issue it from the royal treasury, as the very fact proves, to meet contingencies. This reign is therefore noted in history for the first authentication of the value of the precious metals, by the impress of the effigy of the sovereign.

The fruitless wars so long waged against Greece, and which terminated in the people of that country's carrying back the war into Asia, tended still more to the dispersion of the royal hoards. Xerxes took with him, on his expedition, as much money as loaded twelve hundred camels, and was compelled to distribute immense sums among his mercenaries. From this period, money began to be considered as a part of private wealth, and individuals began to hoard as well as monarchs. The comparative freedom of the Grecian governments admitted of a greater diffusion of wealth among the mass of the population, than was practicable under more despotic systems ; but the states were unable to lay up sums in any way to be compared to those hoarded by the Asiatic monarchs. Athens, by assuming the defence of the Ionian, Dorian, and Æolic colonies, with that of the islands, rendered them all her tributaries. The excess of these contributions was laid up in the Acropolis, and reached its maximum at the breaking out of the Peloponesian war. At this time, Pericles stated,

as an inducement to an obstinate resistance against the Spartans, that the public treasures amounted to nearly six millions of dollars, while the value of the golden decorations of the statue of Minerva, amounted in value to six hundred thousand. Thus this treasure, saved from the tribute of the rich coasts of Asia Minor, and the Cyclades, did not amount to much more than two-fifths of the offerings of Croesus to the Delphic shrine, and fell far short of the sum tendered to Xerxes by a single vassal.

A great proportion of the metals thus paid as tribute to the Athenians, and laid up by them to meet emergencies, had probably found its way into the hands of the Greek colonists, from the royal treasures of Persia, disbursed in the support of their local governments, or expended in the various ineffectual attempts to subjugate Greece. Several of the Grecian states possessed mines of the precious metals, but their produce does not seem to have been of any great amount; and it was not until the mines of Thrace passed into the hands of Philip of Macedon, that they yielded sums capable of influencing the plenty or scarcity of the circulating medium.

Some portions of the precious metals, small, however, compared with those accumulated by the sovereigns of Persia, had centred in the hands of the Tyrian merchants, who procured them in their commerce with Spain. The monarchs of Egypt also possessed mines in Nubia, to the labours of which criminals were condemned. Both of these finally centred in the hands of the great king, on the reduction of Tyre and the conquest of Egypt.

The first more general diffusion of gold, from the hands of despotic sovereigns to those of individuals, took place at the expedition of Alexander.

"The rewards given to his soldiers, and the payments to his allies, the funeral of Hephæstion, the gratuities to Harpalus and others of his satraps, would dissipate a third part of his spoil; the expense of maintaining his court and army would absorb a large portion of the remainder; and hence we can see no difficulty in reconciling the accounts of the vast mass of treasure collected in Persia, with the comparative small amount of that wealth which Alexander left behind him at his death. As the treasure distributed among his followers would, according to the practice of soldiers in all ages, be expended where it was received, and would remain in that country, there seems no difficulty in crediting the account in Arrian, of the treasure extracted by Ptolemy Evergetes from the provinces left to the successors of Alexander, about 240 years after Christ—in believing in the truth of the terms which the Romans extorted from the same people—or in yielding faith to the reports of the treasure which Paulus Æmilius exhibited in his triumph at Rome, on his return from Macedonia, after his victory over Perseus, another of the successors of Alexander."—*Jacob. Vol. i. chap. iii.*

"All the mines of gold and silver, with the produce they had yielded in the long series of preceding centuries, were gradually delivered over to the dominion of Rome, by the successive conquests of the countries in which they were found. Carthage, Spain, Germany, Greece, Asia, and Egypt, within little more than one hundred and forty years after the Romans had first passed the Hellespont, became subject to their power. The mineral wealth of the world,

was thus in a great degree, by the time Augustus attained the imperial dignity, concentrated in his dominions; and his capital, which had become the metropolis of the civilized world, was the focal point to which the gold and silver were attracted, and from whence they were again distributed to the several extremities of the empire, in that due proportion with which their powers of production enabled them to supply the necessities or luxuries of imperial Rome."—*Id.*

Down to the reign of Augustus, the quantity of the precious metals had been continually on the increase; for the circulation of them was but small; and, accumulated in few hands, they were applied to but few of the numerous uses to which the taste and ingenuity of modern times have rendered them subservient. Hence, there was little or no loss by friction, particularly in gold, and but little was withdrawn for purposes of utility or ornament.

The precious metals appear to have been more abundant, in proportion to the demand for them as a medium of exchange, at this period, than they have ever been since; as is manifest from the high prices of almost every article in the imperial city. The price of bread in Rome, during the reign of Augustus, appears to have been, at the average, about the same as it is at present in London; and this will serve as a criterion of the money value of other articles.

This high rate of prices must have reacted upon the mines. The necessities of life, commanding a higher value, estimated in the precious metals, than formerly, the pursuit of the latter would no longer be attended with equal profit. The poorer mines would no longer have yielded enough to support the labourers; free labour would consequently be withdrawn, and finally, that of slaves, or of the *adscripti glebæ*. At the same moment, the consumption of these metals was increased. The union of so great a portion of the earth under a single government, comparatively free from wars, led to the increase of private wealth, and the extension of commerce. Nearly the whole of the precious metals were converted into coin, and the consumption by friction in their rapid circulation, became much increased. In addition, the art of gilding was in request, and the walls and ceilings of the rich glittered with golden coverings. Thus an increased demand was attended with a diminished production; until the latter ceased altogether, by the convulsions attending the final dismemberment of the Roman empire.

The whole quantity of coin in existence at the time of the death of Augustus, is estimated by Jacob at £358,000,000 sterling. The mere wear of this in common circulation, must have reduced it, before the close of the Western Empire, about A. D. 482, to less than £90,000,000 sterling; and it cannot be conceived that the product of the mines could have raised the latter quantity to more than £100,000,000 sterling. Between this period and the reign of Charlemagne, the working of mines of the precious metals was wholly abandoned; and at the latter date, the quantity of the

precious metals in circulation must have fallen as low as £ 34,000,000 sterling.

The mines that first contributed to supply the annual waste, and after a time to increase the stock of the precious metals, were those of Hungary. The opening of that of Lehnitz is dated as far back as A. D. 745. The mines of Bohemia and Salzburg were next opened, then those of the Tyrol, and finally, those of Saxony, which began to be productive in the twelfth century, although first discovered in the tenth.

These mines "were the chief sources of mineral wealth during the middle ages. Their produce, in no instances, and at no periods, seems to have been large, when compared with what was yielded in distant ages in Egypt, in Spain, in Asia, and in Thrace, and in modern times in Mexico and Peru. But their effect on the transactions of the world must be contemplated, not by what they would produce on the stock of gold and silver in existence in the time of Augustus or in the present day, but by what they must have produced on the small amount of precious metals that was possessed at the time of their respective workings." —*Jacob, vol. i. chap. x.*

The silver mines of Germany gradually increased the quantity of money in circulation, and raised the price of necessaries even before the discovery of America.

"If we suppose the same rate of consumption to have proceeded as at the former periods, we shall find that to replace the loss by wear, which would have required, in the time of Augustus, at least an annual supply of one million sterling, there would, in the eighth century, be only a supply of one tenth of the amount demanded. In fact, one hundred thousand pounds extracted from the mines and converted into coin in the eighth century, would have been as adequate to the effect of maintaining an equilibrium in the price of commodities, as a million sterling would have been in the first century.

"There are no means by which to mark the several steps of the depression of prices which accompanied the gradual consumption of the precious metals between the first and ninth centuries; and even in the ages that followed, the facts are scattered among so vast a mass of documents, and the variations in the real value of the nominal money were so great, that though the influence of the destruction of the precious metals on the depression of price can admit of no doubt, yet that influence can only be calculated in a way far from distinct and exact.—*Jacob, vol. i. chap. xii.*

Prices appear to have reached their lowest ebb, in England, during the time of the Heptarchy. At this period, the precious metals had almost ceased to be a circulating medium; and debts were paid in what was called living money, consisting of slaves and cattle.

The effect produced by the opening of the mines in Germany, Hungary, and Bohemia, was slow and gradual; it not only, however, supplied the annual waste, but added to the stock in such a manner as to increase money prices in all parts of the world, and to give a spur to commerce and industry.

"The reign of Henry VII. in England, in which the first discovery of America was made, is a period of peculiar importance to the subject of inquiry, as it was that from which the circumstances of the precious metals began to experience a vast change. Up to that period, the decrease in the existing quantity had been

proceeding during several centuries, and immediately after, an increase began, which has continued without any interruption, although with much variation, to our own time."—*Jacob, Chap. xvi.*

The first discovery of America did not add much to the stock of the precious metals. Hispaniola produced gold in but small quantities, and in twenty years after the discovery, the mines were exhausted. Down to the conquest of Mexico by Cortez, the whole annual receipts of the Spanish Conquerors did not exceed \$ 250,000. But in Mexico, the invaders came into possession of the whole accumulated treasures of the Aztus, and in Peru of those of the Incas. New mines were also speedily opened and worked, and the annual amount received by the Spaniards during the twenty-five years that elapsed between the conquest of Mexico and the discovery of Potosi, was raised to upwards of three millions of dollars. We have seen that the stock of the precious metals, existing in civilized countries at the time of the discovery, could not have much exceeded £ 34,000,000 sterling; the short space of twenty-five years therefore added to the quantity previously in circulation, not much less than one half. Consumption would, however, have kept a proportion even greater than before; for, a taste for utensils of gold and silver, grew with the renewed production, and the conquerors sought atonement for their bloodshed and cruelty, by costly offerings to the church. At the epoch at which the mines of Potosi were discovered, the gold and silver in circulation, cannot, in consequence, be estimated at more than £ 50,000,000 sterling. These mines alone, for many years after their discovery, added more than two millions of dollars to the former produce, while the opening of other mines, along with the improvements made in working them, and reducing the ores, still further increased the annual supply. Within one hundred years, therefore, from the discovery of America, after making a deduction for the exportation, which about the same time commenced to India, the circulating specie was quadrupled in amount. This rapid increase was attended with a more than corresponding change in the money price of commodities, which appear on an average to have changed their nominal value, within the same century, in the ratio of nearly five to one. In Spain, to which the influx was first directed, gold and silver fell to one sixth of their former value.

The century between 1600 and 1700, saw a further increase in the annual product of the mines. But it no longer bore so large a proportion to the amount already in circulation, and thus had a far less effect upon circulation. Jacob calculates, that in 1700, the total quantity in Europe, in the form of coin, amounted to £ 297,000,000 sterling, or nearly nine times as much as existed at the time of the discovery of America. This estimate makes due allowance for the waste in circulation, the conversion

to other uses, and the export to India; and makes the average annual product of the mines to have amounted to £ 3,375,000 sterling.

From 1700 to 1809, the annual produce of the mines continued to undergo a steady increase; this fact will be obvious from the following view of the sums yielded by those of Mexico:

	Sterling.
In the ten years from 1700 to 1709,	£ 10,777,298
1710 to 1719,	13,697,297
1720 to 1729,	17,131,921
1730 to 1739,	18,800,395
1740 to 1749,	23,302,833
1750 to 1759,	26,197,936
1760 to 1769,	23,506,012
1770 to 1779,	34,912,858
1780 to 1789,	40,318,948
1790 to 1799,	48,191,711
1800 to 1809,	47,142,814

This is the return of the amount which paid duty; and Humboldt estimates that one fifth of the amount produced did not do so. When this fifth is added, and when proper allowance is made for the quantity furnished by Spanish South America, by Brazil, by Europe, and Asia, the whole average annual product, from 1700 to 1809, may be taken at £ 8,000,000 sterling.

The breaking out of the Revolution in the Spanish colonies, was almost fatal to the mining interests. Most of the more important establishments were broken up in the course of the bloody and almost exterminating wars waged in those countries. The capital invested was destroyed, and the skill and intelligence devoted to the pursuit driven away. The mines of Europe have also become less productive, and although some new and important workings have been opened in the Russian empire, the whole production of the world, for the last twenty-two years, has decreased. From 1809 to 1829, it has not averaged more than £ 5,000,000 sterling per annum; this is less than was furnished by Mexico alone, for the average of ten years, from 1800 to 1809.

This diminished production is attended with an increased demand. Before the discovery of America, utensils of gold or silver were confined in their use to persons of the very highest rank; or to ecclesiastical corporations of the utmost wealth. The arts of gilding and plating were but little employed, and more of the metals were lost by mere wear, than were consumed in the manufacture of plate or other articles of luxury. The change in this respect has continued progressive to the present day. The more equal and general diffusion of wealth, has rendered

what were formerly marks of high rank, and badges of superior opulence, necessities of life to the middling classes of all countries, and even to the labouring population of some. Tea first began to be used about 1700, and at the present day, the single article of tea-spoons, consumes more silver than was employed in all the other species of plate before that epoch. Spoons and forks now require, in their manufacture, one half the silver that is worked up in Great Britain; while a century ago, the former had hardly crept into general use, and the latter were confined to a few families of rank and fashion, at so late a date as 1818. Our late visitor Captain Hall, in his tirade on this pointed subject, ought to have remembered how little in advance of us the British nation was in this respect; for it was only in that year, that we heard a *muscadin* classing the nations of the earth, in point of civilization, by the number of the prongs of their forks; and we recollect that he had not at that time assigned to Britain the high rank which is now claimed for her. We have to confess that we were forcibly reminded of this scientific classification, at no remote period, when it was our evil fortune to behold the minister of his most Christian Majesty Charles X., at a civic feast in one of our cities, that shall be nameless, endeavouring to convey peas to his mouth on a villainous instrument of iron, with no more than two prongs.

The consumption of silver, in plate, in Great Britain, amounts annually to 1,275,316 oz.; that employed in the manufacture of plated ware, to 900,000 oz.; that used in watch cases to 500,000 oz.; while for a variety of minor purposes, not less than 500,000 oz., more are used. The aggregate value of these is about £ 890,000 sterling.

The value of the gold employed for manufacturing purposes, is much greater than that of silver, and has for many years been upon the increase; it is estimated by Jacob at about double. From the consumption of France, England, and Switzerland, of which a tolerably correct estimate may be formed, he computes the whole value of the precious metals employed in the arts, at £ 5,600,000 sterling. This exceeds the sum that has been stated as the present annual produce of the mines. But to this is to be added the annual loss by the abrasion of coin, which is estimated at about £ 900,000 sterling, and the drain to the East Indies. The last has indeed become far less than it once was, but has not ceased altogether.

Taking all these circumstances into account, it is estimated that the stock of coin, which in 1809 amounted to £380,000,000 sterling, must have fallen in 1829 to £ 313,000,000 sterling, or has been diminished nearly one sixth.

In spite of the new prospects that the mines of our southern states present, and of the increased product of the Russian em-

pire, it must be many years before capital of sufficient amount can be invested in them, to enable them to replace the mines of South America. Nor does it appear probable that the latter country will for many years assume so settled an aspect as to tempt the investment of foreign capital. Our author therefore concludes, that:

"On a review of the several countries which yield gold and silver, no very sanguine hopes can or will be indulged, that a great or material increase in their production is likely to take place in the course of a few years."

This decrease in the quantity of circulating specie which has already taken place, and is likely to continue, must produce great and marked effects upon money prices. How far it will affect the condition and prospects of mankind, we should think it impossible to foretell. It has not yet produced as great a change as might at first sight have been anticipated; and as we found that money prices rose at first, in a ratio higher than that at which the precious metals increased in quantity, it is possible that the fall may not be as rapid as the rate at which their quantity decreases. It is besides impossible to say to what extent the influence of paper money, for fifteen years of almost unbounded confidence in the faith of government, and the solvency of banks, may have extended the inevitable consequences of a diminution of the stock of gold and silver. The remarks of Mr. Jacob on this question deserve notice, and we shall close our article with an extract from them.

"If the prices of commodities were regulated solely by the quantity of the circulating medium, as the latter in the twenty years had declined at the rate of thirteen per cent., we might calculate that the fall on the former should be in the same ratio. If, as we know to be the fact, the mass of commodities had been greatly increased in the period, whilst the circulating medium had diminished, we should find an additional decline in the prices of commodities. But the decline would be liable to counteraction from several causes, which might give additional power to the circulating medium, and enable a less portion of it to perform the same offices as would under other circumstances require a larger portion.

"In 1810, from the state of the whole of Europe being engaged in war, both the treasuries of the several states, and the military chests of the various armies, must have caused a large quantity of the existing money to have been in a state of inactivity. The difficulty of conveying money from place to place was great, and the internal negotiation of bills of exchange, in most parts of the continent, was suspended. Each man who had money kept it by him, instead of lodging it in the hands of banks or bankers, because none of them enjoyed security, or possessed credit. In 1830, the case was altered. The conveyance of money was easy, secure, and especially rapid. If gold was more valuable in one place than in others, a few hours would convey it by steam vessels to the place where it was wanted. Banks were established every where, which furnished inland bills to the parts of the same country, and foreign bills to other countries, which in many cases made the removal of specie unnecessary. The exchequers of states could rely on their credit to supply the place of money, till it could be collected from the regular sources, and as no armies were on foot, there was no money kept in a state of inactivity in the military chests.

"From these altered circumstances, whose influence it is difficult to calculate,

the depression of prices, which would be the natural result of a diminution of money, and an increase of exchangeable goods, had been prevented or lessened.

"If it should be thought that the increase of the mass of material wealth in Europe and America, has kept pace with what we know to have been the increase in the population of those divisions, it may be stated at about thirty-two per cent. in the twenty years, which, added to thirteen per cent. diminished in the mass of money, would cause a natural decline in prices, at the rate of forty-five per cent.

"This rate of decline would be retarded by the increased power given to money, from the several causes which have been alluded to. It is difficult to determine, in such a complex system of exchanges of material wealth as is established in all civilized countries, how far a declining quantity of money is counteracted by the additional power given to it. It is much more difficult to calculate the additional power, than it is to estimate the decline in quantity."

"The cultivators of the soil are the most numerous part of the community. Their products are the least complicated in their origin, and the most simple in their distribution, and therefore are likely to be the first affected by any increase in the value of the precious metals. They would be the first to experience the difficulty of obtaining the usual weight of gold and silver, if those metals became more rare, for the usual measure of corn, of meat, of cotton, of wool, and other agricultural products. In this country (England) where the cultivators are a class of capitalists distinct from the proprietors, their capitals have generally been diminishing, while the decline of the mines has been proceeding, and the application of their produce to other purposes than that of coin has been increasing. It certainly does not follow from these two courses having been simultaneous, that one is the cause of the other. The same has been the condition of the cultivators of the ground in every other country, as far as it is accurately known. In every part of the continent of Europe, the same complaints are heard, however various be the tenures on which land is held. Such complaints are not bounded by the limits of Europe. The cultivators of North America assert that the prices of their productions yield them no profit, especially those of corn, tobacco, cotton, and rice. The same is the case in the West India islands, and according to common reports, in South America, and in India. There must be some general cause producing such extensive effects, which are thus felt alike where taxation is high or low, under despotic and free governments; and whether the land is cultivated by slaves, by serfs, by hired labourers, or by proprietors.

"It would lead into a field far too extensive, to speculate on what would be the effect in another twenty or forty years, if the same difference should continue between the production of the precious metals, as appears to have been in operation for twenty years. It may however be observed, that the world is really very little richer or poorer from the proportion of metallic wealth that may be distributed over its surface; that the whole mass of material wealth is neither diminished nor increased, by any change in the relative weight of gold and silver to the usual measures of other commodities. The only benefit to the world in general, from the increase of these metals, is, that it acts as a general stimulus to industry, by that gradual rise of money price which it exhibits to the view. The only evil from the diminution of these metals, is the discouragement it may present to industry, by the apparent loss or lessened profit, when the result of labour is reckoned in gold and silver, and not in other commodities. It matters little to him who raises a bushel of wheat, whether it is exchanged for an ounce or a pennyweight of silver, provided it will procure for him the same quantity of cloth, shoes, liquors, furniture, or other necessaries which may be desirable to him. The relation of the different classes of society to each other, but still more those of different individuals to each other, will be changed, but the change will be made very slowly, and be scarcely perceptible in one or two years; and even at the end of a generation only noticed by those who look back with the means of comparing prices at different periods."

ART. IV.—*De la Religion, considérée dans sa source, ses formes et ses développements.* Par M. BENJAMIN CONSTANT. (Paris: 1825—1831.)—*Of Religion, considered in its Origin, its Forms and Developments.*—By BENJAMIN CONSTANT. (Paris: 1825—1831.)

THE general interest which the work of B. Constant on Religion has called forth in France and throughout Europe, would of itself be a sufficient reason for giving a sketch of the design of the author, and of the contents and character of the work. The fourth and the fifth volumes appeared very soon after the last French Revolution in July 1830, and a short time before the death of Constant. Even a summary account of the book may enable our readers to judge of its merits, and to comprehend the general interest with which it was received in the midst of great political excitement, in which the author, together with his friend Lafayette, bore a distinguished part.

Many, indeed, took up this book with incredulous anticipations, greatly wondering that a man who was known only as a politician, and a general scholar, should appear before the world as the author of a theological work—not for the purpose of surveying the boundary between religion and law, church and state, but to search the deep things of that mysterious science; to make the history and philosophy of religion the subject of laborious investigation and a learned analysis. But those to whom a more familiar acquaintance with the natural history of the human mind opened a clearer view of the continual ebbing and flowing of public opinion in France, might have predicted that the best general work on religion would come from the pen of a statesman, a friend of liberty, whose experience would be to him a revelation of the cause of the failure of so many struggles and mighty efforts, and of the true object towards which all these changes, though imperceptibly, tended.

When the French Revolution stretched forth its spectral hand in the midst of the banquet hall of despotic Europe, her thousands of lords looked with trembling upon the bloody fingers, and not one of her political soothsayers had wisdom enough to read the mysterious hand-writing, or courage enough to make known the interpretation thereof. Indeed, the friends of freedom, not less than its enemies, saw with fear the first instinctive out-breakings of a spirit which seemed directed not only against the prevailing despotism, but against all social order, religion, civilization, and refinement. It was natural that the first desperate reaction against an oppressive state of things should not discriminate between the hostile principle itself, and those powers in themselves friendly to freedom, which had been forced into an

alliance with despotism. But every one who has studied the history of this age of revolutions, and whose mind is free enough to rise above the fears of the present, and the prejudices of the past, and calmly to follow the onward course of the spirit of liberty from its first glorious manifestations in this country, cannot mistake the object to which, notwithstanding all its wanderings, it really tends. True, this spirit of liberty has at times appeared as a destroying angel; but the angel has passed over the great interests and hopes of mankind, which have in the soul of man a safe habitation, secured by the protecting hand of God. It is not religion, civilization, and refinement, the genuine fruits and tests of humanity, at which the spirit of this age, the spirit of liberty, is aiming its fatal darts; it is a principle which partakes alike of the sheer fickleness of chance, and the uncontrollable, inexorable, and irrational nature of fate; a power which borrows the sword of the law in order to tyrannise over conscience, and arrays itself in the majesty of religion in order to trample upon the rights of men by divine authority. It is despotism in every shape, persecuting or patronising, destroying or corrupting, at which the finger of Providence is pointed, against which all the signs of the times do prophesy. A death warrant is inscribed on every pillar of the tottering palace of authority; and it needs not the prophetic vision of a Daniel, but the simple gift of common sense, to read what is written: "God hath numbered thy kingdom, and finished it; thou art weighed in the balance, and art found wanting; thy kingdom is divided, and given"—to those to whom, under God, it belongs, to rule as well as to obey. It is now understood by all, that civilization and refinement are not, what Tacitus says they were made to be by imperious Rome—"parts of servitude." Both experience and philosophy have shown that the restraints which equal laws, an enlightened conscience, and good taste, impose on the conduct of man, are in fact not restrictions, but enlargements of his freedom; and that religion, instead of being the natural enemy, is in truth the foundation of the perfect law of liberty.

The intimate and indissoluble connexion between liberty and religion, and the self-destroying tendency of those who have thought loyalty to freedom inconsistent with loyalty to faith, have never been more deeply felt, and more eloquently set forth, than by B. Constant. He says,—

"Take the fundamental precepts of all religions according to the letter, you will always find them to accord with the most enlarged principles of liberty; we might say, with principles of liberty so enlarged, that even to this day their application has appeared to be impracticable in our political associations. But examine the history of religions, you will often find the authority they have created, working in concert with the powers of the world for the annihilation of liberty. By placing force on the side of faith, they put courage on the side of doubt.

"When a vexatious government maintains by force the superstition which supports its injustice, the friends of liberty may become unbelievers; and these unbelievers are then the heroes and the martyrs. But even their virtues are remembrances of another doctrine. There is in their system a noble inconsistency. It is a heritage of their religious sentiment; they owe to this sentiment their inward power.

"Cassius, educated in the maxims of Epicurus, and rejecting with him all existence after this life, invoked in the midst of battle the manes of the great Pompey, and in his last conversations with Brutus, 'yes,' cried he, 'it would be beautiful if there were invisible beings who take an interest in human affairs. It would be beautiful if we were strong, not only in our land troops and our fleet, but also through the assistance of the immortals in a cause so noble and so holy.'"

It is clear, then, that religion and liberty are not antagonist, but kindred principles, and that the peculiar hatred and infuriate zeal which have signalized the conflicts between mistaken liberty and deluded religion, must be explained, not by a natural enmity between the two principles, but by the same reason which accounts for a foreign war being less bloody than a civil war, more especially, a war of brother against brother.

We will now lay before our readers the groundplot of the work, with our own views on some of its most interesting topics.

Herder has written outlines of the philosophy of universal history; Constant has selected one branch of this vast undertaking for the subject of his investigation. His work is properly a philosophic sketch of the history of religion in the world. It is neither a bare narrative, nor a mere speculative system; but a philosophical account of the most interesting facts which have led the writer to those general, distinct, and most influential views which he wishes to communicate to his readers. He is aware that only the effects of religion, the forms under which it appears in the world, are the subject of observation and history, while the principle of religion itself, can be reached only by tracing effects and phenomena to their cause, which is the province of philosophy. Accordingly, he begins his work with giving us so much of the philosophy of religion as is necessary to distinguish it from its own manifestations and forms, as well as from other principles of action, particularly that of an enlightened self-interest (*intérêt bien entendu*.) He then proceeds to examine the various forms or manifestations of the religious principle. He treats first of religion in its grossest form of doctrine and worship, as adapted to the savage state of man, while his whole existence is precarious, depending on the chase, such as that of the Tartars, and many African and American tribes. He next considers the state of religion among men, when they exchange the hunter's life for agriculture, and the isolated temporary hut for more solid and contiguous dwellings; the forms of religion among barbarians who have ceased to be savages. In the last place, he considers the forms of religion that belong to

the civilized state of man. The manifestation of the religious principle in these three stages is materially affected by the establishment of a dominant priesthood in some countries, as in Egypt, Meroe, and Hindostan; and the comparatively independent development of the human mind in others, as in ancient Greece. Accordingly, B. Constant makes a distinction between sacerdotal and independent religions, and treats of the peculiar characteristics of each, particularly that of stability in the one, and progressiveness in the other.

This philosophical history of religion, evincing great learning and profound research, united with bold and lofty speculation, comprises the idolatry of the savages, and the polytheism, with some vestiges of monotheism, among the Egyptians, Hindoos, Greeks, Romans, and Scandinavians. There are also frequent references to Judaism and Christianity, showing the author's views on these religions.

His plan in delineating the various forms of faith is not to give a detailed account of each, but to show in them the gradual unfolding of the human mind which creates them, struggles against, and replaces them by others. "Each period," he says, "considers that which is adapted to what it calls its superior light, as the impassable limits of what is good and true. But a new period comes in its turn to remove these limits, and sets up new boundaries, which succeeding generations are destined to displace in order to extend them still farther."

We shall now advert more particularly to some of the most interesting inquiries contained in the work; and as of late, the very foundation of religion, the religious nature of man, has been denied or questioned by some even in this country, we will offer on this abstract subject a few more remarks than we should otherwise venture to intrude upon the *practical* partialities of the public.

The general remarks of B. Constant on the principle of religion, possess this great merit above those of other writers of high standing, that their only object is the intrinsic truth, not the utility of religion. He says,—

"Some philosophers, who in attacking the existing religion, have wished to preserve the principles which are the foundation of all religion, still do not consider these principles, except under the most ignoble and gross point of view, as taking the place of penal laws. When we read their writings, we perceive that they are anxious that religion should serve them forthwith as a sort of '*gens d'armée*,' that it should guaranty their property, secure their lives, discipline their children, and maintain order in their families. It might be said that they have a sort of fear of believing for nothing: religion, they think, ought to pay them in services, what they concede to it in faith."

The first great truth which B. Constant endeavours to establish, is this, that religion, whatever be its nature, is not a something introduced into the mind from without, either by instruc-

tion or example, authority, persuasion, or fear ; that it is not the result of education, of public opinion, or the laws and institutions of society. All these circumstances are more or less calculated to favour or modify the growth of religion ; but it could not become a principle in man, if there was not in his own nature a fitness and tendency to receive, and to assimilate the nourishment, which circumstances may furnish for the formation of the religious character. For, as a German philosopher says, "nothing can be established, unless it be founded in nature, even if afterward it should become contrary to nature."

B. Constant considers the religious principle as a fundamental law of human nature ; so that the history of the various forms of religion makes a part of what may be called the natural history of mankind. It is not an innate idea, but a native tendency of the human mind ; and as such it is universal and indestructible, however the forms it assumes at different times and places may vary.

"Savage hordes, barbarous tribes, nations which are in the meridian of social life, those who languish in the decrepitude of civilization, all experience the power of this indestructible sentiment.

"Collins, in his account of the English colony in New Wales, pretends that the inhabitants of New Holland do not worship any being visible or invisible ; and immediately after, he speaks of the sacrifices which they offer to the souls of the dead ; of the fear with which they inspire them, of their confidence in sorcerers, and of the gross artifices which these employ to increase their influence. Now, a people who invoke those who are no more, who have recourse to magic, who believe in supernatural powers, in a connexion between these powers and man, and in means to propitiate them, evidently profess a religion of some kind.

"It must be that this disposition is inherent in man ; since there is no one who has not been more or less affected by it, in the silence of the night, upon the sea shore, in the loneliness of the country ; there is no one who has not for a moment forgotten himself, felt as if borne along upon the waves of a vague contemplation, and plunged into an ocean of new and disinterested thought, bearing no relation to the narrow relations of this life. The man who is the most under the control of his active and personal desires, has nevertheless, in spite of himself, been overcome by these emotions, which have raised him above all particular and individual views. They spring up within him, when he least expects them. All that in material things belongs to nature, to the universe, to immensity ; every thing in the moral world which excites tenderness and enthusiasm ; the sight of a glorious action, of a generous sacrifice, of a danger courageously encountered, of the sorrow of another relieved or comforted, of a contempt for vice, of devotion to misfortune, of resistance to tyranny, rouses and cherishes this mysterious disposition ; and if a habit of egotism leads a man to smile at this his momentary exaltation, he will nevertheless smile at it with a secret shame, which he hides under an appearance of irony ; for a silent instinct still teaches him that he is doing violence to the noblest part of his being.

"There is, we have said, something indestructible in religion ; it is neither a discovery of the enlightened man, unknown to the ignorant man, nor an error of the ignorant man, from which he who is enlightened can free himself. But it is necessary to distinguish between the inward principle and the forms, between the religious sentiment and religious institutions. The inward principle is always the same, immutable, eternal ; the form is variable and transitory. Thus the fact that any religious form is attacked, the fact that philosophy points its reasonings, irony its sarcasms, intellectual liberty its indignation, against this

form; the fact that in Greece, for example, Evhemeros dethrones the gods of Olympus; the fact that at Rome Lucretius proclaims the mortality of the soul, and the vanity of our hopes; the fact that still later Lucian insults the Homeric dogmas, or Voltaire the dogmas of his time; in fine, the fact that a whole generation seems to applaud the contempt with which they overwhelmed a long venerated faith—all these facts do not prove that man is willing to part with religion. It only proves that the form thus attacked, being no longer adapted to the human mind, the religious sentiment has separated itself from it."

This fundamental, universal, and indestructible principle, which is peculiar to man, which impels and enables him to do and to suffer what no other principle of his nature could effect or explain—this mysterious power within him, what is it, or how can it be defined, if any thing so indefinite or incalculable in its effects admits of a definition? In order to come to any thing like a definite conception, it is necessary that we should follow up the various streams of human effort, which, under the name of religion, have alternately blessed or desolated the world, and trace them to their hidden springs in human nature.

The faithful inquirer, whose vision is too enlarged to believe the whole truth confined within the narrow scope of what he sees of human history, and at the same time too true to seek in the clouds of his own fancy, will not fail to discern in the healthiest growth, as well as in the wildest excrescences of religion, the germ of *infinity* in the soul of man.

"In the midst of the successes and triumphs of man, neither this universe which he has subjugated, nor the social order he has established, nor the laws he has proclaimed, nor his gratified desires, nor his various enjoyments, satisfy his soul. A desire is ever rising up within him, asking for something more. He has examined, travelled over, conquered, adorned his dwelling place, and he longs for another sphere. He has become the master of visible and finite nature; and he thirsts after one that is invisible and without bounds. He has provided for those interests which are more complicated and factitious, and which seem more important. He has learnt every thing, calculated every thing; and he is weary of being occupied only with interests and calculations. A voice cries from the depths of his being, and says to him that all these things are only mechanism, more or less ingenious, more or less perfect, but cannot be the term or the boundary of his existence, and that what he has taken for an end, was but a series of means.

"We feel an undefined desire after something better than we know; the religious sentiment offers us something better. We feel oppressed by the bonds which restrain and enthrall us; the religious sentiment announces to us a time when we shall break through these bonds. We are weary with the agitations of life, which without ever subsiding, are so monotonous, that they render both satiety inevitable, and repose impossible; the religious sentiment gives us an idea of a repose ineffable and ever free from satiety. In fine, the religious sentiment is that cry which nothing can silence, that reaching forward of the soul towards the unknown, the infinite, which no one can entirely subdue, with whatever distracting objects he may surround himself, or with whatever ingenuity he may strive to stupify or degrade himself."

These words, which seem to us to reach the very heart of religion, as well as every religious mind, may appear to many as somewhat too vague, perhaps, as too eloquent or poetical, to be

philosophically or practically true. But the more we meditate on these views, and think of every thing that is or has been the object of religious thought or feeling among men, so much the more clearly we perceive that the essence of religion consists in *the tendency of the soul of man to the Infinite*. We will mention here only some of the most important points which are allowed by all to lie within the range of religious subjects. It will be perceived that the being, as well as every power or function of the human mind, are within the sphere of religion as soon as they reach beyond the limits of time and space; so that we see why religion is at once superior to all other human pursuits, and yet intimately connected with each; for it consists in the infinite tendency and extensibleness of all the endeavours of the mind. Thus, the consciousness of our own existence is in itself not a matter of religion; but the belief in the infinite continuation of this existence, the immortality of the soul, is one of the fundamentals of religion. Thus self-love, and the love of our nearest friends, our country, and all mankind, or in other words, domestic attachment, patriotism, and philanthropy, are not, strictly speaking, subjects of religion; but the interest of the living in the souls of the departed, in a world of spirits, and the greatest enlargement, as well as concentration of all our faculties in the conception, adoration, and love of one supreme and infinite spirit, these are universal and vital principles of religion. Thus the feeling of dependence on persons and circumstances for support and success in life, becomes a *religious* feeling if it expand into a reliance on an all-overruling Providence. Thus, friendship, the love of duty, and every purpose or affection, assume a religious character, as soon as they press on beyond the bounds of limited desires or obligations, with the divine energy of self-sacrifice. Even ambition, anger, revenge, envy, and other passions, good and evil, as well as the elements and various powers of nature, personified by the imagination, have been worshipped on account of their incalculable strength and influence. Thus in the highest efforts of poetry and philosophy, we see the effulgence of the religious principle; and with the same feeling, though perhaps unconscious of the ground of it, we say of a person who devotes himself with infinite care and zeal to any one pursuit, however limited in itself, and is thus truly faithful in the least thing, that he performs his duty *religiously*.

It would be easy to illustrate this fundamental view of religion, by a great number of examples; but those already adduced, seem sufficient to guide the judgment in inquiring into the nature of religion, and the difference as well as the connexion between this and other principles of action.

This view of religion, as the tendency of the soul, and all its powers, to infinity, affords also a philosophical criterion to dis-

criminate between true and false religion.* That religion is false, the object of which, though considered as infinite in its nature, is in reality finite or limited. God, therefore, is the only true object of religion; other things bear a religious character, only as partaking of his infinite nature. The adoration of any power of nature or of man, is superstition, and if it be worshipped under any image or emblem, it is idolatry.

We now return from this sketch of our own conceptions of the religious principle, to the work of B. Constant. Though his views on religion seem to us fixed on the true ground, they at times are too vague, and then again we find them too limited. We agree with him in considering the heart, rather than the head, as the birthplace of religion, because the aspiration of reason to contemplate God, and the effort of the will to conform to his law, must have a motive, must be a prompting of the heart; so that the love of God is rightly held to be the source of all religious philosophy and practice. But we think it too limited a view of religion to make it wholly a matter of sentiment or feeling. The intellect and the will, no less than the feelings, are capable of endless enlargement; and if religion consist in the tendency of the soul, with all its powers to infinitude, it is certain that true religion must consist in contemplating and obeying, as well as loving God. The fact that a contracted use of reason, has led men, particularly in France, to materialism and atheism, has induced Constant, with many other minds of more profound habits of thought than the French Encyclopedists, to believe "that the sphere of reason is altogether material, and leads only to scepticism, with regard to things which are not material." But it is evident that our reason is competent to contemplate not only objects of our senses, but likewise those of our consciousness, such as thoughts, feelings, resolutions, which we know not through our senses, but by the simple reflection of the mind upon its own operations. Our senses make us acquainted with the material world; our consciousness, by which we recognise ourselves as rational and moral beings, introduces us to the spiritual world; and our reason, reflecting on these facts, discerns in the organization of nature and of the human mind, the evidences of one supreme and eternal, creative, wise, and beneficent spirit. While we consider Constant's view of religion as too limited, when he represents it as entirely a matter of sentiment or feeling, his mode of speaking of this sentiment seems to us, in other instances, liable to an objection of an opposite character. He sometimes confounds the religious principle with other elevated, strong or tender emotions to which it is closely related, such as generous sympathy, and just indignation. But though B. Con-

* We use the term religion here, in the same wide sense in which we speak of moral good and moral evil.

stant may be charged with occasionally confounding the religious principle with other elevated sentiments, he never stoops to the opposite error of those who make religion the perfection of a selfish policy—or to the opinion of Hobbes, who identifies it with *fear*, and knows no other distinction between true and false religion, than that between a fear which is sanctioned, and a fear which is prohibited by the government of the state.

With singular felicity, B. Constant shows the superiority of the religious principle over that of an enlightened self-interest, (*intérêt bien entendu*) which until lately has been the prevalent and almost exclusive theory of morals in France. After having expressed his respect for the noble character of some of the advocates of this system, from which he dissents, he says,—

“Impressed with the dangers of a sentiment which is apt to become enthusiasm and delusion, and in the name of which countless crimes have been committed, these men distrust all religious emotion, and would substitute for it the exact, uncompromising, and unchanging calculations of an enlightened self-interest. This self-interest they say is sufficient to establish order, and to make the laws of morality respected.

“We are certainly far from taking any part in that pious exaggeration, which attributes all the crimes of periods of unbelief, to the absence of the religious sentiment. These deplorable effects of blind passion, effects independent of faith, are common to irreligious and to religious ages.

“Under Alexander VI. the communion preceded, and confession followed, murder.

“We acknowledge, also, that the necessity of the religious sentiment is not sufficiently demonstrated by the excesses of revolutions, during which the inflamed people have found a pleasure in trampling upon ancient objects of veneration. Revolutions are moments of storm, in which a man forced to judge and to act with precipitation, in the midst of the tumult of unchained violence, without a guide to direct him, without witnesses to restrain him, may, with the most upright intentions, deceive himself, and with the purest motives, become criminal. The revolutions which religious convictions have caused, have not been more exempt from reprehensible and violent actions, than the disturbances which liberty has created. The anarchy of the protestant war and its thirty years massacres, have equalled the crimes and the anarchy which have soiled the pages of the French revolution, and the ferocious piety of the puritans, was not less sanguinary than the unblushing atheism of our demagogues.

“But, after having commenced with these very large concessions, we must yet ask whether in relinquishing the religious sentiment, which we distinguish from religious forms, and in judging himself by the single rule of an enlightened self-interest, man would not despoil himself of all that constitutes his supremacy, give up his most glorious titles, turn away from his true destiny, shut himself up within a sphere not his own, and condemn himself to a degradation contrary to his nature.

“Enlightened self-interest must destroy all that is opposed to it. If man, directed by this motive, triumphs over passions which are directly opposed to this interest, he must likewise overcome all those emotions which would lead him away from it. If enlightened self-interest is powerful enough to conquer the delirium of the senses, the thirst for riches, the fury of revenge, it will still more easily prevail against the emotions of pity, of tenderness, of devotion; these being ever opposed by considerations of prudence, selfishness, and fear. Doubtless, in listening to the precepts of enlightened self-interest, we may relinquish present enjoyments, but only with a view to obtain future advantages. We must abstain from every thing that would be permanently injurious; and this

rule, the only morality of enlightened self-interest, must be applied to our generous emotions and our virtues, as well as to our selfish passions and our vices.

"There is not one generous emotion of the heart against which the logic of enlightened self-interest cannot arm itself—not one which, according to this logic, is not weakness or blindness—not one which enlightened self-interest may not crush with its exact calculations, and its victorious equations.

"Will you say that enlightened self-interest is itself opposed to such a depuration of our nature, since it invites us to seek that inward satisfaction which flows in the midst of misfortune, from the courageous performance of duty? But do you not perceive, that by these words you go back to those involuntary emotions which bring you into a different range of ideas? for strangers as these emotions are to all calculation, they disconcert, by their results, the barren lessons of enlightened self-interest. In order to elude the consequences of the system you adopt, you distort this system, unworthy of yourself;—you introduce into it an element which it rejects—you restore to the human soul the faculty, for it is a faculty, and of all the most precious one, that of being subjected, controlled, exalted, independently of, and even contrary to, its self-interest.

"If this interest should completely triumph, man should never feel regret, except at finding himself deceived with regard to this interest; nor would he have any other satisfaction than that of having carefully observed its precepts.

"No! nature has not given us an enlightened self-interest for our guide, but an inward sentiment. This sentiment teaches us what is evil and what is good. Enlightened self-interest shows us what is advantageous and what is hurtful.

"If then you do not wish to destroy the work of nature, respect this sentiment in every one of its manifestations; if you put the axe to any of the branches of this tree, the trunk is struck with death.

"If you treat as a chimera the undefinable emotion which seems to us to reveal an infinite being, sole creator, essence of the world, (of what consequence is it what terms we make use of to designate it) your reasonings will, without your knowing it, in spite of yourself, go farther.

"All that passes in the depths of our soul, is inexplicable; and if you always exact mathematical demonstration, you will only obtain negations. If the religious sentiment is a delusion because it cannot be proved, love is a delusion, enthusiasm a delirium, sympathy a weakness, devotion an act of madness.

"If, as you say, we should extinguish the religious sentiment because it leads us astray, we must also smother our pity because it has its dangers, and importunities and torments us. We should repress that quick throbbing of the pulse that makes us fly to the rescue of the oppressed, because it is not for our interest to draw upon our head the blows which were not destined for us.

"Above all, we should renounce (think well of it) that liberty which you so love: for from one extremity of the earth to the other, the soil which is trodden by the foot of man is strewn with the dead bodies of its defenders. It is not enlightened self-interest, which will erect altars to this divinity of great and noble souls; it will wait till others have erected the altars under which it may find a secure shelter; and if shaken by violent winds, you will see this enlightened self-interest, faithless or timid, desert a proscribed worship, or at most make a merit of a shameful neutrality. And has not the experiment been tried? What has Europe exhibited for the last twenty years? Enlightened self-interest reigning without a rival. What have been the fruits of this reign? We repeat that we do not speak of crimes. We grant that enlightened self-interest condemns them, and that its counsels would have prevented them. But this indifference, this servility, this perseverance in calculation, this dexterity in finding pretexts, what else was it but enlightened self-interest? It has served to maintain order in disastrous times. Order is necessary to well being; but it has sacrificed to external order, every sentiment, which, if unrestrained, might be hazardous. Order is always apparently on the side of power; enlightened self-interest has always taken its place on the side of power, if not to assist it, at least to remove the obstacles in its way. It has compassionated the victims, but when they were dragged to execution it has watched to see that order should not be disturbed. It has allowed heads to fall, and it has secured property. It has pre-

vented pillage and facilitated legal murder. It has assisted in the development of the intellectual powers; true—but while developing it has degraded them. Its followers have been intellectual, but this intellect has been at war with every sentiment that was not selfish. Self-denial has become an object of derision. They have tarnished by irony, degraded by disdain, the nature of man, and they have called this a just appreciation of things, or a piquant gaiety.

"From the very circumstance that they had intellect, they have found a sort of pleasure in opposition. Whilst there was no danger, this enlightened self-interest allowed vanity to criticise indifferently the good as well as the evil. Danger appeared, and then enlightened self-interest has taught them prudently to applaud evil as well as good; so that under a moderate government they have appeared censorious, and under a violent one, servile.

"The virtues have undergone the same degradation as the intellectual powers. They have lost the charm which bears witness to their celestial origin; and when we see them so prudent, reserved, anxious not to do too much, we readily divine that the soul is wanting in them, and that their true source is dried up. They have been charitable, because enlightened self-interest teaches the rich that nakedness without resource is to be dreaded. But charity has been depreciated. They have not allowed themselves to give alms from compassion; they have taken from the poor man his liberty in exchange for his subsistence, and have thought themselves benevolent, if in his chains they have given him bread.

"Calculation has not stopped even here: concerned beforehand about the generations yet to come, they have reproached the poor man for his natural feelings, and his children for their existence. They have cast up how many hands are requisite to perform necessary labour. They have proscribed the remainder of the human race as superfluous; and they have transformed life into a park, which the proprietors have a right to enclose with walls, and to which entrance is allowed only at the good pleasure of their indulgence. They have practised domestic virtues. It is more consistent with an enlightened self-interest to live at peace in one's family than in hostility, and scandal troubles life. But the domestic virtues have also been brought down to a low standard. They have had the same egotism for their families as they before had for themselves. They have repulsed a friend in peril, for fear of alarming an anxious wife. They have deserted their country's cause, because an enlightened self-interest would not allow them to risk a daughter's portion. They have served an unjust government, because an enlightened self-interest would not allow them to obstruct the career of a son.

"There was no vice in all this; it was prudence, moral arithmetic; it was the logical and reasonable principle in man, separate from that which is noble and elevated; it was, in fine, enlightened self-interest. There are honourable exceptions to console us, but these exceptions, are they not the inconsistencies, the deviations from this system of egotism, a homage rendered to the power of the feelings?"

After these general reflections on the essence of religion, B. Constant proceeds to trace the history of the religious principle, the various forms under which it has manifested itself, their establishment, and the principal changes they have undergone. The relation which his work bears to others, on the history and philosophy of religion, he describes in this manner.

"The learned, in their treatises on religion, have seen neither the priests, nor the people, but solely the science. The unbelievers have seen only the priests, and in them so many impostors. The faithful have seen in every other religion than their own, nothing but deceit or the devil. No one has been disposed to see in all beliefs the human heart, and the nature of man.

"They have hitherto considered only the exterior of religion; the history of the inward sentiment remains still to be understood and written. Dogmas,

creeds, rites, and ceremonies, are the forms which the inward sentiment assumes, and which it afterwards breaks. According to what laws does it take these forms? According to what laws does it change them? These are questions which no one has examined."

With regard to the connexion between the principle and the forms, and the changes they undergo, he observes,—

"The religious sentiment grows out of the want which man feels of a communication with invisible powers. The form grows out of the want which he likewise feels of rendering the means of this communication, which he thinks he has discovered, regular and permanent. Hence, at each epoch, the establishment of a form adapted to the state of this epoch.

"But every established form, however sufficient for the present, contains within it the germ of opposition to future progress. It contracts, from the very circumstance of its duration, a dogmatical and stationary character, which refuses to follow the intellect in its discoveries, and the soul in its emotions, which are continually becoming more pure and more refined. The religious sentiment then separates itself from this form, which has become as it were petrified; it calls for another, which will not wound it, and it does not rest until it has found it. This is the history of religion."

The author is aware, that his view of a continual change in the forms, might be misconstrued into a disbelief of revealed religion, which he professes to hold in the form of Protestant Christianity. He says,

"To prevent any one from taking advantage of a phrase to which he might attach a sense which does not belong to it, in order to accuse us of a disbelief in the revelation which is the foundation of the faith of all the civilized nations of Europe, we ought to remark, that by saying that the inward sentiment takes a form and afterwards breaks it, we do not deny that this form may be presented to it in a supernatural manner when it receives it, and that it may be freed from it in a supernatural manner when it breaks it. This is what has actually happened, according to the literal account of our sacred books. The Jewish law was a divine law, offered to the Hebrews by the Supreme Power who instructed them, and it was accepted by the religious sentiment of that nation. This law nevertheless was good only for a time, and was replaced by the new law; that is to say, the ancient form was broken by its author, that the religious sentiment might be induced and authorized to detach itself from it, and a new form be substituted.

"To affirm that the germ of the religious sentiment is found in the heart of man, is surely not to assign to this gift of heaven a purely human origin.

"The Infinite Being has placed this germ in our bosoms in order to prepare us for the truths which we are to learn.

"We are supported here by the authority of St. Paul, who says that God had left the nations, for a certain time, to seek him by their own efforts. The more we are convinced that religion has been revealed to us by supernatural means, the more readily we ought to admit that we have within us the faculty to receive these miraculous communications. It is this faculty which we call the religious sentiment."

In describing the various *forms* of religion, Constant, as we have before observed, begins with that which belongs to the *savage* state. The description he gives of man in this condition, is highly interesting and instructive. The savage, like the child, feels constantly surrounded by unknown powers, on which his existence and happiness depend. Any thing may become an object of his worship, for every thing to him is a cause of won-

der. Every thing that moves, is to him a living thing, though it be a round stone rolling on the ground; and every living thing has its design, and he himself is the object of all designing powers, the centre of the universe. Polytheism therefore seems the most natural form of the religious principle in its infant state, if man be left to himself. But even among those hordes which are addicted to the grossest idolatry, we find views of a very different nature, glimpses of gospel truth, bold conjectures of divining reason, or visitings from higher spheres of light.

"An American savage, who had a bull for an idol, declared one day to the missionary who interrogated him, that he did not adore the bull itself, but a *manitou* of bulls hidden under the earth, giving life by his breath to every animal of this species. He added, that those who adored bears believed in a *manitou* of bears. When he was asked whether there did not exist one for men, he answered in the affirmative.

"This is evidently an effort of the savage to generalize his conceptions; it is the religious sentiment striving against a gross form, which envelops and constrains it.

"Above the idols, material divinities, created by the want of the moment, invoked and then destroyed, there always hovers a notion more vague, more mysterious, less applicable to common life, and which still fills the soul of the worshipper with a more profound respect and a deeper emotion. With the savage as with the civilized man, the religious tendency is directed toward the idea of infinity, of immensity. Hence the Great Spirit, who dwells embosomed in clouds, beyond the mountains, or within the impenetrable abysses of the ocean, always invisible, seldom implored, because he takes little interest in the destiny of the inhabitants of earth, but towards whom the soul nevertheless rises, thus striving after conceptions more noble than that which ignorance furnishes to men.

"This tendency is very imperious, since it is found among the most brutish hordes. The Cucis, or mountaineers of Tipra, in the east of Bengal, are the most ignorant and most ferocious savages. Nevertheless, they recognise a Great Spirit different from all other divinities they adore, and whom they dare not represent by any image."

The relation between the savage and his idol, which he thinks endowed with passions and weaknesses like his own, is essentially selfish. "The Koriack says to his idol in sacrificing to him dogs and reindeers, 'Receive our gifts, but send us in return what we expect from thee.'" On the contrary, the adoration of the Great Spirit, the *Manitou* of the earth, the seas, and the heavens, is impressed with a resignation altogether religious and moral. Though the object of the savage in the connexion with his idol is selfish, yet it is founded on the idea of mutual good faith, and thus fosters the moral sentiment. The savage punishes his idol, if after all his prayers and sacrifices it does not fulfil his desires, as faithless to its engagement, and perjured. The same sentiment we see operating on a larger scale, when we read that in China, a certain deity was proscribed, and its priests punished by a decree of the highest tribunal in Peking, because the god had not, according to the promises made by his priests, restored to health the darling child of a father, who had faithfully performed all the sacrifices required of him by these interpreters

of the divine will. The idols are also used to solemnize contracts and promises to others. In the island of Nuka-Hiva, the rights of persons, families, and property, are secured by a religious consecration (Taboo.)

"The belief of the American tribes enjoins on them the duty of respecting the envoys from neighbouring nations. These envoys, placed under the protection of the Great Spirit, cannot be ill treated without its being considered a crime, and the guilty persons would be given up to inevitable destruction. Even the messengers sent to declare a war of devastation and extermination, are listened to in silence, and reconducted with scrupulous care to the limits of the territory. Religion, then, is beneficent in its grossest state."

One of the earliest religious notions, is that of two fundamental principles, the power of good, and power of evil, with their dependent spirits. The good god, however, is always represented as superior, or finally triumphant over the hostile principle.

We find also among the savages, ideas of a future life, closely resembling the present.

"A traveller who had stopped in a hut, found two savages in despair at the loss of a son four years old. The father died some days afterward. The tears of the mother immediately ceased; she appeared calm and resigned. When interrogated by the traveller, she answered, the thought that her child of so tender an age would not be able to obtain subsistence in the land of spirits, had caused her agony. Now, that her husband was with him, she felt easy about his fate, and she only longed to rejoin them."

Thus, in the early ages of the world, and even to this day, we find the pure gold of truth, blended with the rough or glittering alloy of superstition, passing from mouth to mouth, and from generation to generation.

Now it is maintained by B. Constant, that wherever the mind is left free to put forth its various powers, wherever the growth of religion is not impeded by positive forms, set up as unchangeable and infallible laws, by changeable and fallible men, the principle of religion will by degrees throw off its dark integuments, and work its way to the light of a moral and spiritual faith. On the other hand, wherever a sovereign priesthood endeavours to preclude the natural or inspired efforts of reason, by determining what shall be true and right, and what false or sinful, and substitute the chilling authority of the law to the warm and generous impulses of the heart and the noble struggles of the will, there religion sinks into a state of torpor, from which nothing can rouse it short of a voice from Heaven, as it was heard on the banks of Jordan.

We will quote here the words of the author, the comparison he draws, towards the close of his work, between the two systems, one of which men must adopt.

"The denial of any power superior to ourselves, of all communication with this power, of all appeal to its goodness and its justice against injustice and un-

kindness, the renunciation of a world better than ours, of a world of reparation and purity, no society will be satisfied with.

"Our choice, then, is reduced to one of the two states compatible with our nature, a religion of authority, or a free religion. Which of the two is best?"

"India, Ethiopia, Egypt, and Persia, offer an example of the first of these states. All progress there is interdicted to the intellect, every advancement is a crime, every innovation a sacrilege. Religion does not lay aside the hideous vestiges of idolatry, the figure of the gods still remains unsightly, their character vicious. Morality is perverted, liberty proscribed, crime ordained. Religion, at once venal and threatening, prodigal of its terrors, is parsimonious of its consolations. Those which it grants, it sells. Fretted by the hands of its masters, debased in the souls of its slaves, it is with the former a degraded tool, with the latter a yoke which presses upon them. An object of calculation without good faith, or of obedience without examination, it corrupts those who profit by it, as well as those whom it oppresses. It condemns fear to hypocrisy, and drags sincerity to the scaffold, giving a premium to abjectness, and reserving punishment for courage.

"An oppressive caste exacts successively from men renunciation of their inclinations, their affections, their virtues, their intelligence. It judges of faith by the same rule which it applies to all other sacrifices. Faith becomes meritorious in proportion as the dogma which it requires is difficult to believe or comprehend. The religious sentiment, in its enthusiasm, favours this exaction of the priesthood. It finds a pleasure in sacrificing to its deity its most precious faculties. Error or truth, it matters not which, are equally imposed. Man and his faculties disappear, nothing remains but the priest and his calculations.

"Add to all these scourges the spirit of persecution, the inevitable consequence of such a system; see among the most gentle people of the world the massacre of the Bouddhists, among the Egyptians the oppression of the Hebrews.

"Such has been, in ancient times, the effect of the stationary principle in religion.

"Now, by the side of sacerdotal fixedness, let us contemplate free and progressive Greece.

"Starting from gross idolatry, the religious sentiment soon arrives at polytheism, frees it from all vestiges of barbarism, improves and purifies it. Every thing becomes ennobled in its dogmas and its public rites. The Greeks borrow from all quarters whatever attracts their active and inquisitive imagination; but they embellish all they borrow. They snatch from the theocratic corporations of the east, and of the south, the elements of the sciences which these corporations had held captive. Languishing and imperfect as were the sciences in the night of the sanctuary, they revived, expanded, and were developed by the light of day; and reason following its bold march, and darting from hypothesis to hypothesis, through a thousand errors, doubtless yet attained, if not to absolute truth, which is perhaps inaccessible to man, at least to those truths which are the results of each epoch, and which are so many steps to arrive at others which are of a still higher order and greater importance. Religion is affected by this activity of reason; torrents of light flow in upon it, to penetrate and renew it.

"Morality, more mild, and more delicate, because the religious sentiment sheds its refined influences upon it, remains independent of the dryness and harshness of positive dogmas. No capricious will, no discretionary power, no mysterious autocracy transforms good into evil, and evil into good. That which is virtue remains virtue, that which is crime remains crime. No insolent pontiff dares, in the name of Heaven, to ordain that which is sinful, or justify that which is atrocious. No mercenary priest makes a purchased impunity the pledge of a future impunity which may again be purchased. The gods as well as human beings submit to eternal laws; and conscience, inviolable and revered, judges of the will of the former, as well as of the conduct of the latter.

"Surely, after this comparison, the question is decided."

These, according to B. Constant, are the natural consequences of the two different systems of religion. He allows that there

have been exceptions to this rule; cases, in which an established priesthood have had a beneficial influence, and others, in which the human mind, left to its own workings, has run into mysticism or atheism. With regard to Greece in particular, he adds, that although the Greeks were the only nation of antiquity, that did not submit to the yoke of sacerdotal power, yet they were not wholly free. The constitutional authority which the priests had acquired and preserved against the independent spirit of the nation, was sufficient to exile Anaxagoras who denied the materiality, and Socrates who rejected the immorality of the gods.

The author declares that his description of the sacerdotal religions, and the priesthood of ancient times, applies only to antiquity, and he protests against interpreting his remarks as aimed at the creed or the clergy of any Christian denomination. His account of the rise of sacerdotal power among the ancients is highly interesting. He shows that the power of the priests was most extensive and most firmly established among those nations who worshipped the elements and the stars. In Egypt, for example, where the existence of the people depends on correct geometrical and astronomical observations to determine the periodical inundations of the land, the minds of men were very early directed to these branches of practical mathematics, and a successful study of them must have conferred upon those who devoted themselves to these sciences great power and authority. It is obvious also, that without the levelling influence of public education, only a few gifted minds were enabled to rise to eminence, in a branch of information which required continued application, and mutual communication of the results of observations made at different places and times. Hence it was natural that these philosophers, to promote their inquiries, and strengthen their influence with the people, who considered them as the prophets of the most important changes, should enter into a close and permanent union. Such an association being once formed, it was natural enough that they should endeavour to extend their real power, by pretending to a higher kind of information, to which that which they really possessed served as an initiation, and that in this attempt they should be aided by the religious sentiment itself, which makes men seek the causes of important events, and the objects of their admiration, in regions beyond the reach of their own understandings. Astronomy thus became a preparatory study for astrology, chemistry for alchemy, philosophy for magic. Thus, in countries in which the study of nature, the earth, and the stars, was of peculiar importance, it is easy to account for the establishment of a permanent priesthood, and why, according to the Hindoo saying, the word in the mouth of a priest, availed more than the sword in the hand of the warrior. In Egypt, India, China, among the Phœnicians, Carthagenians,

in Ethiopia, particularly in Meroe, in Persia, Syria, as well as among the aborigines of Mexico and Florida, the worship of the stars and the elements is always found together with a permanent and most powerful priesthood.

Superior knowledge of things divine, or considered as divine, is the foundation of priesthood every where. As the knowledge of human things, of nature and of man, enlarges, the sphere of theology is more contracted, or rather concentrated. Our astronomers, physicians and chemists, possess an actual knowledge and foreknowledge which must make them appear to barbarous, or semi-barbarous tribes, as prophets and priests, endowed or intrusted with superhuman knowledge, and supernatural powers. But Christianity demands of its students to avail themselves of the highest results of all other branches of knowledge, as the rudiments of that divine science in which no one graduates on this earth—in which every one, though called to be a teacher of others, never ceases to be their fellow pupil.

As religion enters into all human affairs and pursuits, and as particularly, in the earlier stages of society, religious knowledge included almost all the most important theoretical and practical learning, in politics, economy, medicine, and philosophy, it is evident how much various and interesting information may be derived from so learned, able, and eloquent a work as that of B. Constant *on Religion*. It must prove highly interesting and instructive, not only to the theologian, but to readers of all descriptions. Theologians may find reason to dissent from some of his peculiar views; but it seems very desirable that they should learn to judge of the influence of religion in the affairs, and on the minds of men, upon a more enlarged and accurate scale, and that they should appreciate the relative value of each doctrine of Christianity, and the true glory of the whole, by a just comparison with every other religion in the world. Without this study of what may be properly called *comparative theology*, they are apt to form contracted views of the greatest of all subjects, and thus to resemble those herdsmen of the Alps, who never look beyond their flocks and their pastures, except to watch the signs of good or bad weather; and who are astonished to learn from strangers that they inhabit the most sublime and beautiful spots on the earth.

The account we have given of this work, is but a mere and an imperfect outline of its interesting contents. The facts upon which the views of the author rest, though they may not always be thought sufficient to justify his inferences in their full extent, yet are stated with the learning of a scholar, and the faithfulness of an historian. He never fails to acknowledge what he has derived from other writers, and to refer to their works. In

his account of the religions of antiquity, he is largely indebted to the deep and extensive researches of Kreutzer.

We are conscious that we have not been able to do justice to this great and interesting work. So we will content ourselves with doing justice at least to our own feelings, by expressing our obligations to it for the information it has given us on all the various religions of men. It has helped us to perceive more clearly, the mysterious agency of that Providence, who, while men have darkened their understandings, has never left himself without a witness in their hearts. As the shadow proves to us the existence of the light, we see, even in the most erroneous views and forms of religion, the presence of the principle, and certain, though remote, preparations for the light of Christianity; and when we thus return from the study of the various aspirations of men after the highest truth, to this divine revelation of it, we enter more deeply into the meaning of those memorable words of a Roman pontiff;—

“The Christian religion is like the firmament: the more diligently you search the latter, the more stars you will discover. It is like the ocean: the longer you regard it, the more immeasurable it will appear to you.”

ART. V.—*The Elements of Mechanics*. By JAMES RENWICK, LL. D. *Professor of Natural Experimental Philosophy and Chemistry in Columbia College, New-York*. Philadelphia: Carey & Lea: 1832.

THE harmony which subsists between the labours of the practical and those of the theoretical mechanician, is an auspicious circumstance for the well-being of man; each class may exert their faculties in an independent sphere, yet their results both tend to the same point, that of enhancing his comforts and enjoyments. It is the proper business of the former to secure the advantages which may have been already pointed out; and of the latter to discover others, as the mysteries of nature yield to their exertions. The conviction of this truth is no less important than pleasing to the mind; as it teaches the instructive lesson, that there is no *Ultima Thule* to limit the march of physical discovery, until that point be reached when the Book of Nature shall be opened in characters of light to all; and as it inspires the cheering hope, that as the necessities of men increase, there is continually additional means in course of supply for the want.

In the whole field of human exertion, broad as it is, there is

not, perhaps, a happier instance of the principle of the division of labour, than is afforded in the history of mechanical philosophy, rational and practical; for it is not an artificial one, but is naturally made. Indeed, the lines here seem to have been so strongly drawn, that the two parts of this science have rarely ever been viewed in connexion, but on the other hand, generally regarded as distinct; especially is it the case now, when the most recondite truths are elicited by a course of inquiry wholly independent of practical experiment. The invention of the fluxional calculus—we say invention, because we deem it a fair trophy of the human intellect, be it whose it may—has made the breach still wider, and removed yet farther the work-shop of the mechanic from the study of the philosopher, though the former must more than ever acknowledge the influence of the latter upon his labours.

It is to this elevated stand, which demonstrative mechanics has of recent years assumed, that we must attribute the harmonious co-operation of both parts of the science. Its triumph has been complete, but not at the expense of its sister branch; on the contrary, while it has established its supremacy and superior importance, it has perhaps shown the more, how necessary is the assistance of the artist and mechanist to render its discoveries available to man in the improvements of life.

We make another observation *in limine*. We have a strong proof of the mutation which has taken place in the condition of man in the relative situation which the arts and sciences now hold to each other, in comparison with that which they once did. It is very obvious, that in the earlier states of society, science was but an after-birth of even advanced art; it was not till the pyramids were built, that Thales instructed the Egyptians how such huge structures might be measured, and taught his own countrymen the principles of the art. When, however, principles are once elicited, and rendered independent for existence on the things of art, science takes the power into her own hands, and as if impressed with an initial impulse, proceeds in an unimpeded course, continually adding to our former knowledge.

Thus it is, that we think that the machinist must be classed subordinately to the mechanical philosopher. We esteem not lightly the names of such men as Vaucanson, and Watt, and Arkwright, and Fulton, but we never can place them in the same niche with Galileo, or Newton, or Lagrange, or Laplace. They pursue a path already pointed out, and are richly rewarded in the success that awaits them; while their more elevated instructors are, mayhap, doomed to imprisonment and penury. On them devolves the practical test of scientific discovery. Heroic minds have already grappled the stern truths and made the task easy. These distinct spheres of practical and theoretical

philosophers, have been the cause of much invidious remark, and that too in our own day. It is the pride of many, to style this a practical age, in which we have less to do with books and philosophy than with men and things; and to esteem that the most highly which most directly contributes to our interests. This is but an overweening pride, begotten by the very benefits which science is diffusing from her unseen haunts.

We have been partly led to the preceding remarks, from an apprehension that it is a growing tendency of the times to despoil the meritorious of their laurels, more brightly to deck those who act but an inferior part. It may be, however, that the gloom of a dark hour has conjured up a lifeless form to disturb us. Abstract truth is congenial but to few minds; to the many it is more pleasing to witness the measurement of worlds and the extension of systems, to see time and space annihilated, than to trace the streams of power to the fountain of knowledge, or to listen to the exposition of the means whereby all these are accomplished. Thus are the truly great kept from public view; their names seldom mentioned or thought of, and when repeated, it is with a vagueness which at once declares how little their labours are appreciated.

We purpose, therefore, previously to taking up Professor Renwick's book, to embrace this opportunity of giving a succinct account of the rise and progress of mechanical philosophy, as well to do justice, in some measure, to this class of sages, as to elucidate our subject.

However well the ancients may have succeeded in practical mechanics, it is very clear that they had no very distinct idea of the theory of the mechanical forces. The immense structures which they reared, remains of which are so numerous even to this day, doubtless gave rise to very many expedients to move those masses of stone and marble, and to shape them to their purpose; while on the other hand, their continued employment in warlike expeditions, was no less effective in stimulating invention. The works of the Stagyrice present us with a few crudities on motion,* but his observations are of little importance. It is, indeed, not a little surprising, that this branch of science should have made so slow a progress with them, when geometry was so suddenly advanced to a state which has defied improvement, even at the hands of the moderns.

The first sure step was taken by Archimedes, who lived in the third century preceding the birth of Christ. His attention seems to have been principally confined to the subject of statics, or bodies *in equilibrio*. We are indebted to him for the first demonstration of the principle of the lever. It is well observed

* Aristot. *Nat. Auscult.* Lib. iii.

by Lagrange, that though some writers have thought to find faults in the demonstration of Archimedes, and endeavoured in various ways to render it more rigorous, it must nevertheless be admitted, that in altering its simplicity, they have added nothing on the score of precision.*

In his book *De Æquiponderantibus*, Archimedes starts with the axiom, that if an uniform bar be supported on a fulcrum by its middle point, it will not incline to either side; for, he asks, why should it preponderate to one side more than to the other. In this proof we see the germ of the fertile principle of the *sufficient reason* afterwards unfolded by Leibnitz.

Having settled this principle, he proceeds to prove several well known properties of the lever;—that if two weights be placed at the ends of the beam, it will be in equilibrio when they are reciprocally proportional to the lengths of the arms, i. e. when the weight on the right, multiplied into the arm on the right, is equal to the weight on the left, multiplied into the arm on the left. This demonstration has been simplified by supposing, that the weights attached to the lever were two horizontal parallelipeds suspended by the middle, whose lengths were double of the arms of the lever, which answered to them inversely, while their breadths and heights were equal.

This principle, which at once explained all machines referable to the lever, is sufficient to stamp the discoverer as the founder of mechanical science. The Syracusan philosopher was well aware of its importance and its application, as we see in his proud assertion to Hiero: "Give me a place to stand upon, and I will move the Earth," an assertion certainly more excusable than the arrogant declaration of Alphonso of Castile.

But Archimedes did not rest here; the theories of the inclined plane, of the pulley, and of the screw, are said to have been laid down by him, though we find no traces of them in his writings. The statics of fluids are likewise indebted to him for their first scientific form. His treatise *De insidentibus humido*, has come down to us only through the medium of a defective Latin translation, which however has in some measure been restored by the labours of Commandine, who in 1565 published an edition, with the title *De iis quæ vehuntur in aqua*.

The principle which he laid down, that a fluid will easily yield to pressure, and will continue to yield, till some other resistance opposes, is not only the basis of hydrostatics, but is the definition of a fluid as adopted by modern writers. Another principle which he assumes, is, that immersed bodies are pressed upward by a force to be referred to their centre of gravity, or to the centre of gravity of the immersed part. From these he deduces the pro-

* *Méc. Analyt.* Part 1. Sec. 1.

positions—that a fluid mass cannot come to a state of equilibrium until it has assumed a spherical surface, and that if a body, when immersed in a fluid, weigh as much as the fluid it displaces, it will remain at rest in any part of it; if lighter, it will float; and if this floating body were thrust down into the fluid, it would be forced up again by a force equal to the difference between the weight of the body and that of the fluid displaced; if heavier, it will sink, but its weight in the fluid will be less than when out, by the difference between its weight and that of the *displaced fluid*—a theorem by which Archimedes is said to have resolved the celebrated problem, proposed by the King of Syracuse, when he wished to test the honesty of his goldsmith.

The attention of the succeeding writers was directed to generalizing these discoveries of Archimedes, and to simplifying machines, by reducing them to combinations of the five powers which are known as *the mechanic powers*. Pappus Alexandrinus, who flourished under the Emperor Theodosius in the fourth century, is the only name worthy of note that occurs to fill up the great blank in the history of mechanics, between Archimedes and the Italian mechanicians of the sixteenth century. He attempted to ascertain the principle of all the simple machines, in the same manner that his illustrious predecessor had that of the lever; his attention, however, was principally directed to the inclined plane. In this he failed, owing to the fundamental error upon which all his investigations proceeded—that some force was necessary to keep a body even on a plane of no inclination.

The succeeding twelve centuries present a great chasm in the progress of mechanics. Towards the latter part of the sixteenth, the Marquis Ubaldo, of the duchy of Urbino in Italy, published his *Liber Mecanicorum*. He succeeded in reducing the principle of the pulley to that of the lever, but failed in his attempts with the inclined plane, wheel and axle, and screw; as to the first, adhering to the old error with regard to the force necessary to preserve a body on an inclined plane.

The spirit of inquiry seemed now to have been fully roused; and the succeeding history of this science affords us many brilliant names, no less conspicuous in this department than in others. In 1585, Stevinus, a Flemish mathematician, and at the time filling the station of chief engineer of Holland, succeeded in discovering the relation of the power to the weight on an inclined plane—a problem which had so long embarrassed mechanical philosophers. His method is an extremely ingenious one, and wholly independent of the theory of the lever. He supposes a solid triangle placed on its horizontal base, so that the other two sides shall present two inclined planes. He then conceives an endless chain, somewhat longer than the sum of the sides of the triangle, thrown around it, and able to move, unim-

peded by friction ; the pendent portion of this chain will form an arch which will not affect the parts above ; the whole chain will thus be at rest ; for if it move, there is no reason why it should not go on to move forever, which is absurd ; so, if the pendent portion be taken away, the rest of the chain will remain *in equilibrio*. Stevinus then justly remarks, that a weight resting on an inclined plane, and there kept by a power parallel to the plane, is in the same situation as if it were supported by two threads, one parallel and the other perpendicular to the plane ; and by his theory of the inclined plane, he finds that the ratio of the weight to the power parallel to the plane, is that of the hypotenuse to the base of a right-angled triangle formed upon the plane by two straight lines, the one vertical and the other parallel to the plane. In this, it will be seen, he came very near to the famous proposition of the parallelogram of forces, though he seems not to have been aware of it. His demonstration of the theory of the inclined plane, it will be observed, is *à priori*, as was also that of Archimedes of the lever.

The next name in the history of mechanics, is that of the great father of physical science. Galileo Galilei was born at Pisa, on the 15th of February 1564 ; he early manifested a disposition for philosophical pursuits ; and the first of his mechanical essays was made while he was yet a student of nineteen. It is said, that being in the Cathedral at Pisa, his attention was arrested by the swinging of the lamps suspended from its roof ; observing them minutely, he thought he discerned that the vibrations of lamps suspended by strings of the same length, whether their excursions were long or short, were always accomplished in the same time. Comparing them more exactly by means of his pulse, he felt himself convinced of their *isochronism* ; he also compared the oscillations of those of different lengths, but it was not until late in life that he discovered the law which regulates all vibrations, viz. *that the times of vibration are as the square roots of the lengths of the strings*.

In 1592, Galileo published his *Della Scienza Meccanica*, a small treatise on statics, in which he reduces the theories of the inclined plane and screw to that of the lever. In the same work he lays down the principle of all machines, which is simply this, —that it requires an equal power to raise two different bodies to heights inversely proportional to their weights, or, in other words, that the same power will raise two pounds to the height of one foot, which will raise one pound to the height of two feet. Still more simply enunciated, it is this, —*that a machine gains power by sacrificing time, and gains velocity or time by sacrificing power* ; so that all attempts to gain one without sacrificing the other, are chimerical. Here is the first appearance of the principle of *virtual velocities*, which Lagrange has selected

as the foundation of his theory of statics. *Descartes* did not hesitate to use this proposition of Galileo, without giving him the merit which he deserved—a petty instance of scientific appropriation, which the original and profound Frenchman should have spurned. Perhaps the strength and clearness of the Florentine philosopher are no where more happily evinced than in the discovery of this principle, which of itself alone would be sufficient to rank his name among the first of mechanicians. “We should understand,” says Lagrange, “by *virtual velocity*, that which a body *in equilibrio* is disposed to receive in case its equilibrium should be disturbed; that is to say, the velocity that the body would really take in the first instant of its motion; and the principle of this is, that the powers are in equilibrio, when they are in the inverse ratio of their virtual velocities, estimated according to the directions of those forces.”*

The first step towards the discovery of the universal principle of gravitation, was taken by Galileo in his theory of the uniform acceleration of falling bodies. He first assumes the law, that bodies in a falling state receive equal increments of velocity in equal times; and then clearly shows that the spaces gone through must be as the squares of the times, and that the space fallen through in one second, is just half of that which the body would have described in the same length of time with the last acquired velocity. In this, as in his other investigations, Galileo rose above the prejudices of his age, and threw off the fetters of the philosophy of the schools.

In connexion with this part of his labours, we may mention, that Galileo was led to the knowledge of the fact, that in a vertical circle a body will descend along the different chords which may be drawn in it, terminating at its lowest point, always in the same time; the increase of length being compensated by the greater directness of descent. He was however mistaken in another supposition which he made—that the times occupied in descending down the arcs to the same point, would also be equal. This problem is a fundamental theorem in oscillatory mechanics; one of the most interesting branches of natural philosophy; and one which embraces all the phenomena of waves, musical sounds, &c., and extends even to the stability of the solar system. The *tautochronism* of arcs belongs to no figure but the cycloid, as was discovered by Huyghens, who was also the first to discern the time of the vibrations in an arc of a circle. For the theory of compound oscillations, we are also first indebted to Galileo, who supposed that if a rod were set vibrating, the weights arranged on it would not naturally remain in the primitive line of the rod, but that some would have a tendency to go in advance,

* *Mec. Analyt.* tome i. §. 16.

while others would draw back, and thus cause it to bend. He inferred thence, that on account of the conflict of the particles of the rod, or as he himself styles it, "the conflict of vibrating atoms," it would gradually cease its vibrations. In this, however, he was mistaken, and it was again reserved for Huyghens to determine the true law.

Another very important contribution to mechanical knowledge, by Galileo, is the theory of *curvilinear motion* in the case of projectiles, and the composition and resolution of forces. The ancients had considered the description of various curves, but Galileo was the first to investigate the compound motion in the case of mechanics, for the purpose of determining the curve described by a heavy body projected into empty space, under the influence of the law of gravitation. He found, by a simple and beautiful process, that the curve described had the property—that *the abscissas were to each other as the squares of the ordinates*—the well known law of the parabola. The curve, then, which a body projected *in vacuo* describes, will be a parabola; but when thrown off in the atmosphere, in consequence of *its* resistance, the parabola is changed into a *Balistic* curve, which no analysis has hitherto been able to define by an integrable equation. Galileo also discovered many circumstances with regard to the motion of the projectile, besides the curve it described; as the force necessary for any range and elevation; that the greatest range is when the angle of elevation is forty-five degrees; and that the ranges are equal for all angles equally above and below that elevation.

This list of additions to mechanical science, made by Galileo, is sufficient to inspire the student with an ardent admiration of his genius—of a mind, that thus early and vigorously seized the true method of philosophising, which has done and still continues to do so much for the improvement of man. Yet illustrative as is the above account of the early and powerful awakenings of his mind, his other discoveries in this branch of philosophy certainly deserve a passing notice. The *law of continuity* seems to have been first maintained by him; and the principle of the *preservation of living forces*, more fully unfolded afterwards by Huyghens, is traced in his writings. The mode of computing the effect of forces applied to produce rotary motion, was discovered by him; he it was who demonstrated, that in the case of the lever, for instance, the maximum effect will be obtained by applying the force in a line of direction perpendicular to the beam. He also laid down the general theorem for calculating the strength and stress of materials. If a beam to be broken be applied to a fulcrum, the strength of the beam will be measured by the area of the cross section multiplied into the distance of the centre of gravity of the cross section, and this product multipli-

ed by the co-efficient which represents the strength of the timber, and which is laid down in all practical treatises on mechanics.

We may pause for a moment, at this point in our history, to contemplate the intellectual phenomenon whose path we have just described. Educated in a university, where the philosophy of Aristotle and the schools was yet exerting an unimpeded influence, it is a matter of astonishment that Galileo should have so completely overcome all prejudice, and have looked at once on the page of nature for information with regard to its truths. This philosopher must be considered the first in that long train of physical inquirers who have done so nobly for their race in their brilliant scientific researches; and while to others we award the praise of perhaps more important discoveries, we must yield to him the merit of being the first founder of physical science, and of having contributed most to its permanent success. Galileo was no visionary; he saw clearly, and pursued his investigations philosophically; and for his independence became the object of much persecution. But the light of truth is not to be mistaken or disregarded; ignorance and bigotry may impede its course for awhile, but the obstruction can only be temporary.

Galileo lived in a peculiar age—the turning point of man's moral condition; when the invention of printing, and the discovery of a new world, had imparted quickening energy to European mind. He was contemporaneous with the great master of modern philosophy, and with the hardly less distinguished chief of modern astronomers, Kepler,—than which three, we know not where to find a brighter constellation of true philosophers. Comparisons have been instituted between Galileo and Bacon; but, we think, drawn with a precision rather for point than for truth. Hume considers Bacon inferior to the Florentine, as a philosopher; "Bacon," says he, "pointed out at a distance the road to philosophy; Galileo both pointed it out to others, and made, himself, considerable advances in it." Mr. Playfair, who seems to venerate the memory of Bacon, on the other hand, elegantly remarks;—"more substitutes might be found for Galileo than for Bacon. More than one could be mentioned, who, in the place of the former, would probably have done what he did; but the history of human knowledge points out nobody, of whom it can be said, that, placed in the situation of Bacon, he would have done what Bacon did;—no man whose prophetic genius would have enabled him to delineate a system of science which had not then begun to exist!"* To us there seems no necessity, no reason, why we should overrate one of these great men at the expense of the other; we may admire men

* See Playfair's Dissertation (2nd) prefixed to the supplemental volumes of *Encycl. Britt.* Part i. Lec. ii. Sec. 2. where the remarks of Hume are also cited.

equally for different reasons, according as their merits lie in different things. Of Bacon it may be said, he saw *how* philosophy was to be advanced; of Galileo, that he pointed out *in what* that advancement should consist. The former took a telescopic view of nature, and brought the whole universe within the field of his vision; the latter investigated nature under her nicest forms, and detected the laws which regulate alike her minute and more enlarged operations. Each was greatest in that which he undertook; both were great in that they advanced our knowledge; yet were they equal, in that the labours of the one seemed necessary to secure the benefits of the labours of the other. Galileo's discoveries were a practical commentary on the theories of Bacon; the Englishman's philosophy, on the other hand, was a theoretical exposition of the works of the Pisan; yet each, it is to be supposed, was ignorant of the labours of the other. Had Bacon never lived, the physical researches of Galileo might have been succeeded by another blank in the history of science; had not Galileo prosecuted his inquiries, the doctrines of Bacon might have long lain hid amid the ignorance and superstition of his day; so far then do they seem to have been dependant one upon the other.

Successor to Galileo, both in point of time and of contributions to mechanical science, was his own disciple, Torricelli, who discovered a very important principle in relation to heavy bodies. It is this—that when two or more weights are placed together, and so circumstanced that their common centre of gravity cannot descend, they are in that situation in equilibrio—a principle of very extensive use in the resolution of mechanical problems. He published his treatise *De motu gravium naturaliter descendunt et projectorum*, which contains the above proposition, in 1664. But this was not the only addition made by this philosopher to our scientific knowledge. To him we are indebted for the discovery of the mechanical action of the atmosphere, and for the invention of the *barometer*.

Hydraulics, or *the motion of fluids*, were also much advanced by him; he proved that the velocity with which a jet of water issues from a hole in the bottom or side of a vessel, is precisely equal to the velocity which a body falling the distance between the surface of the water and the orifice would acquire. Stevinus had already proved, by a most ingenious demonstration, the important principle in hydrostatics, that the pressure of fluids is equal to the part pressed multiplied into the depth of the fluid; but the step taken by Torricelli, was the first advance in hydrodynamical philosophy; a branch so applicable in the computations &c. of the heavenly bodies, and which has but very recently received such vast additions from the illustrious author of the *Mécanique Céleste*.

Pursuing the subject of the fall of heavy bodies, Huyghens demonstrated that the velocity of a body descending down any curve, is the same at every instant, in the direction of the tangent, as it would have acquired by freely falling from a height equal to the correspondent vertical abscissa; and by applying this principle to the cycloidal arch, he discovered its tautochronous property. Huyghens was a practical mechanist, and he conceived that this property of the cycloid might be advantageously applied to the construction of time pieces, (it being a great desideratum to obtain isochronous vibrations, which he thought could be effected by making the pendulum move between two cycloidal cheeks;) but owing to the practical difficulties, his attempt failed. It should be mentioned, perhaps, that this discovery was claimed by Robert Hooke, an English mechanician; there is no doubt, however, of the priority of Huyghens's claim, which is dated fourteen years previous to that of Hooke.

The theory of motion is also largely indebted to Descartes, who brought to the subject the powers of an astute and original mind, already burnished in metaphysical encounters. Here too, as there, he was bold and speculative. Arguing from the immutability of the divine essence, he concluded that there was always the same absolute quantity of motion in the universe; and hence maintained, that the sum of the motions of bodies is the same both before and after impact—a proposition which may be true, if enunciated a little differently; for motion in one direction is always made at the expense of motion in the opposite; which is in fact but a corollary to the equality of action and reaction laid down at a subsequent day by Newton. The great contribution of Descartes to our mechanical knowledge, was his explanation of the nature of the centrifugal force;—in which he ascribes it to the true cause, namely, the *inertia* of the body; a principle first distinctly stated by him, though constantly assumed by Galileo. The measure of this force, expressed mathematically, is $f = \frac{v^2}{r}$ which is its measure for any curve, although Descartes

confined it to the circle.

Mechanical science now began to attract universal attention from the mathematicians of Europe. The splendid discoveries of Galileo and his successors, and the beautiful application of those principles, gave rise to many ingenious questions, which required a greater knowledge of the laws of nature, than the state of this science could impart. Inquiry was stimulated; great minds were diverted from the subtleties of the schools, and the casuistry of theologians, to the consideration of this subject. The names of contributors to mechanics accordingly now multiply upon us, and facts and discoveries crowd thick upon our attention: we shall, therefore, to avoid useless repetition, as well as to consult

the ease of the reader, pursue the remainder of this rapid sketch less chronologically with regard to individuals than we have done: contenting ourselves generally with noticing the great principles of the science, in their inception and full development.

Father Mersenne, in 1635, had proposed for the consideration of geometricians two questions in reference to the mechanic centres: one to determine the centre of oscillation of a compound pendulum; the other to discover the centre of percussion of a body turning around a fixed axis. In the first, a rectilineal rod of a given length is supposed to vibrate; and it is required to determine the length of the isochronous simple pendulum, or that which will vibrate in the same time with it; the simple pendulum being composed of a material point, or oscillating body suspended by a thread inflexible, inextensible, and devoid of gravity. In the compound pendulum, it is to be observed, that the points nearest the axis lose a part of their motion, which is imparted to those more distant; there is therefore an equilibrium between the acquired and lost motions: now that point in the system, at which a single oscillating body being placed, would oscillate in the same time with the compound pendulum, is called the *centre of oscillation*. Huyghens* was the first to solve this exceedingly difficult problem, by the invention of a new principle, now well known as the *conservatio virium vivarum*, or the principle of the *conservation of the living forces*. The principle of Huyghens is this;—that if the compound pendulum be, when it has reached its lowest point, detached into any number of parts, and these bodies left free to vibrate by themselves, their common centre of gravity will ascend to the same height as the compound pendulum would have done.

The solution of the second was attempted both by Descartes and Roberval. But the determination of the *centre of agitation or percussion* was too difficult a problem for the analysis of their time. Descartes maintained that the centre of percussion always coincides with the centre of gravity; but Roberval objected to the consideration of one as the consequent of the other. The solution of Huyghens, given above, put the matter at rest. James Bernoulli, however, the oldest of those remarkable brothers, was the first who gave an accurate solution of the problem.

The solution of the problem of the centre of oscillation, by Huyghens, had not however proved entirely satisfactory to the mathematicians of that time; for in 1681 some objections were urged against it in the *Journal des Savans de Paris*, which attracted the attention of James Bernoulli, and gave him occasion to inventigate Huyghens's theory. He referred the resultants of the velocities gained and lost by the weights to the lever. He supposed

* See his *Horologium oscillatorium*, pars quarta, *De centro oscillationis seu agitationis*. Opera Varia, vol. i. Leyden, 1751. Cura Gulielmi Jacobi. Gravesande.

at first but two weights attached to an inflexible straight line; and observed, that the velocity of the first, or that which was nearest the point of suspension, acquired in describing any arc, would be less than that which it would have, if it described the same arc detached from the line; and that in the same time the velocity acquired by the other weight, would be greater than that which it would have acquired in going over the same arc freely. The velocity lost by the first is communicated to the second, and as that communication is made by the means of a lever moveable on a fixed point, it should follow the law of the equilibrium of forces applied to the lever: so that the loss of velocity of the first weight would be to the gain of the second, in the inverse ratio of the arms of the lever. James Bernoulli fell, however, into an error, in calculating the velocity gained and lost, for a given finite period; this was pointed out by the then young Marquis de l'Hopital, in the Rotterdam Journal, who stated that Bernoulli should have calculated it, not for a finite period, but for a single instant of time. Bernoulli revised his solution, and gave an amended one, applicable to any system of bodies, in the Transactions of the Academy of Paris for 1703. This solution contained the germ of the great dynamical principle of D'Alembert, as it also established the identity of the centres of oscillation and percussion.

Though now so clearly and satisfactorily demonstrated, the question of the centre of oscillation gave birth to numerous other solutions, the most distinguished of which were, those of John Bernoulli (the brother of James) and Brook Taylor, in the year 1714; that of Dr. Taylor is given in his *Methodus Incrementorum*. These two solutions were in principle identical, and were the occasion of a great dispute between those two eminent men, each accusing the other of unblushing plagiarism; a point hardly worth contending about, as all agree that the one given by the elder Bernoulli was the most simple. It is to John Bernoulli that we are indebted for the name of the principle of the *preservation of the living forces*.*

The centre of oscillation was determined somewhat differently by Hermann, a distinguished German writer, in his work entitled *Phosonomia, sive de viribus et motibus corporum solidorum et fluidorum libri duo*, published at Amsterdam in 1716, and dedicated to Leibnitz. In this treatise he undertakes to inquire particularly into those principles which relate to the motions of bodies around a central force; though he extends his investiga-

* This principle is thus laid down by Langrange :—

“ Dans le mouvement des corps pesans, la somme des produits des masses par les carrés des vitesses à chaque instant, est le même, soit que les corps se meuvent conjointement d'une manière quelconque, on qu'ils parcourent librement les mêmes hauteurs verticales.”—*Mec. Anal. Lec. Partie. Sec. i. §. 14.*

tions to the whole doctrine of mechanics, statical and dynamical, whether of solids or fluids. These calculations he pursues synthetically, a method far inferior to the analytical, in preserving uniformity and order. The neatest investigation is probably contained in his truly simple and beautiful chapter on the centre of oscillation.*

This problem seemed to have a surprising effect in eliciting the exertions of the great mathematicians of the day. It was a proud era in the annals of mechanical philosophy, when the names of the Bernoullis, Euler, Taylor, Newton, Leibnitz, de L'Hopital, Clairaut, D'Alembert, and many others of hardly less note, were arrayed in its cause. With a slight alteration, we may adopt the language of the Mantuan:—

“Hæc tum nomina erant, nunc sunt sine nomina terræ,”

without any disrespect to the great mathematicians of our own time. For those were the individuals who laid the broad foundation on which the towering structure of analytical mathematics has been built; who unfolded the principles of that calculus which detects alike the laws which regulate the almost imperceptible vibrations of the music string, and those which preserve the harmony of the universe; and who not only placed in the hands of posterity an instrument of undefinable power, but themselves conducted the world to some of its most wonderful results. With no great principle from which they might start, save what they might invent and demonstrate of their own; with no common method which they all might adopt, except what a common necessity might prompt; it may safely be asserted, that under almost any other combination of circumstances, the world might have slumbered almost to another chaos, in ignorance of the great truths which their efforts have either directly or indirectly revealed to us.

It was very evident, that there was still wanting some general principle which might be used in every case. That of Huyghens was imperfect, as it gave but a single equation from which the time or velocity was to be expunged, and which could not be effected by a separate process. This difficulty continued until 1743, when D'Alembert published his *Traité de Dynamique*, in which he proposes a method by which every imaginable problem in Dynamics can be solved. This method reduces all the laws of motion of bodies to those of their equilibrium, and thus brings Dynamics back to statics. This principle is now laid down at length in every valuable treatise on mechanics.†

* *Phænomia*. Liber Primus. Caput v. Pagina 100—110.

† It is thus expressed by Professor Renwick,—

“If there be a body or system of points materially connected in any manner with each other, and which are acted upon by forces given in magnitude and

The principle of D'Alembert, together with that of *virtual velocities*, dispenses with the aids of geometry. The latter, as we have already seen, was involved in the speculations of Galileo, but was, however, first clearly stated and appreciated by John Bernoulli in a letter to Varignon, dated 1717, and published by the latter, at the beginning of the ninth section of his *Nouvelle Mécanique*, second edition, in 1725.

In 1736, Euler published his *Mechanica*, which contain the whole theory of the *rectilinear and curvilinear motion* of a material point influenced by any accelerating forces whatever. He uses, throughout this work, the analytical method, which he manages with an ease and elegance unknown to his predecessors. In 1740, he applied the principle of Hermann to the motion of flexible bodies.

But in the year 1687 had appeared that great monument of human genius, the *Principia* of Sir Isaac Newton. This work effected hardly a less revolution in mechanical than in astronomical research. He commences by laying down his definitions after the plan of the ancients. Then follow his axioms, three in number, which are of the highest importance in mechanics. They are :

1. The law of inertia, by which every body will continue in that state in which it may happen to be, whether of rest or rectilinear motion, if no extraneous force interfere.

2. That the effect will always be proportional to the cause, and that change of motion is in the direction of the right line in which the motive force acts; and

3. That in every action there is always an equal and opposite reaction.

From these axioms, he deduces, among other corollaries, the *composition and resolution of forces*, from which he also derives the equilibrium of the lever. He arrives, likewise, at these two general truths; first, that the quantity of motion in any system is a constant quantity; which is the principle of Descartes, somewhat qualified: and second, that the centre of gravity of a system, can never be affected by the mutual attraction of its particles, or by any internal force, known as the principle of the *preservation of the motion of the centre of gravity*.

Newton shows that the state of repose, or of motion of the com-

direction; the action of these several forces is modified by the connexion among the several points, and they neither move in the direction, nor with the velocity they would have, were they not connected. Still the forces that must be compounded with those that cause the motion, in order to make up the forces with which the points actually move, must be such as are in equilibrio with each other, or that if they acted upon the system alone, would produce no motion. The last mentioned forces obviously represent the mutual action of the points upon each other; these could not of themselves cause motion, and are therefore in equilibrio."—Book II. c. vi. p. 71.

tre of gravity of several bodies, is not changed by the reciprocal action of the bodies on each other, in any manner whatever; so that the centre of gravity of bodies which act upon each other, either by cords or levers, or by the laws of attraction, independently of any exterior action or obstacle, remains always in repose, or moves uniformly in a right line. This theorem has been extended by D'Alembert; and Lagrange has shown that the centre of gravity of a free system, will move precisely as if all the particles of the system were concentrated in the centre of gravity, and influenced by forces the same both in direction and intensity.*

A further account of the work of Newton more properly belongs to the history of physical astronomy than to that of mechanics, and we shall accordingly hasten to a consideration of certain principles referable to free systems which have been adopted by Lagrange in his *Mécanique Analytique*. In addition to that of the *preservation of the motion of the centre of gravity* explained above, there are two others which deserve a notice in this account; these theorems are known as the *principle of areas* and the *principle of least action*.

The first, which is also known as the principle of the *preservation of the moment of rotation*, was discovered about the same time by Euler, Daniel Bernoulli, and Darcy, though under different forms. A plane being supposed in space, the principle here stated is this; that the sum of all the areas projected on this plane by the corpuscles of a free system, will increase uniformly. There is one plane on which the areas will attain a maximum, and this is called the invariable plane. It is obvious that this is but a generalization of the law of Kepler, that the radius vector of an orbit describes equal spaces in equal times. Daniel Bernoulli gave this principle in the first volume of the memoirs of the Academy of Berlin in 1746, and by Euler in the same year, in the first volume of his *opuscules*. According to them, it consists in this: that in the motion of several bodies around a fixed axis, the sum of the products of the mass of each body by the velocity of rotation around the centre, and by its distance from the same centre, is always independent of any mutual action which the bodies may exert upon each other, and continues the same as long as there is no exterior action or obstacle;† Darcy gave his principle in the memoirs of the Academy of Berlin for 1747, although it did not appear until 1752. The same writer invented a metaphysical principle, which he called the *preservation of action*, as a substitute for that of the *least action*.

The *principle of least action*, was so called by Maupertuis; considered analytically, it is this, that the motions of the particles

* See *Méc. Anal.* Part. ii. Lec. 3.

† *Méc. Anal.* Part II. Sec. I.

of a system describe such paths, and in such a manner, that the sum of the actions of the system is a *minimum*. In one point of view alone does this principle deserve to be here classed; of which Euler gave the first hint in a treatise on *Isoperimetrical* problems, in 1744, showing that in trajectories described by central forces, the integral of the velocity multiplied into the element of the curve, is always a maximum or minimum. Some were induced to consider this as a metaphysical principle, and as a proof that nature always observes the strictest economy in her operations; but it is a simple and general result of the laws of mechanics. Lagrange has shown, in the second volume of the *Memoirs of the Turin Academy*, that it can be taken as a fundamental principle for solving many difficult problems in Dynamics.

In this summary of mechanical principles, we should not omit to mention the *law of continuity*, which, as we before stated, in treating of the discoveries of Galileo, was laid down in his writings. But to Leibnitz, perhaps, we are indebted for its full development; certainly, for calling the attention of philosophers to it, and ranking it among scientific principles. According to this law, nothing can pass from one state into another, without passing through every intermediate state; there is no sudden change *per saltum*, by which these intermediate states can be avoided. Leibnitz maintained its truth *à priori*; if, he reasoned, a change may take place without the lapse of time, the thing changed must be in two different states at one and the same instant, which is impossible. This was further insisted upon by John Bernoulli, in an Essay which he presented to the Academy of Sciences at Paris, in 1724, on the communication of motion. Attempts were now made to contravene this principle, and several breaches were attempted to be pointed out. MacLaurin rejected it altogether, and D'Alembert, in his eulogy on Bernoulli, observes that it is difficult for the mind to conceive how, in case of contact, a change *per saltum* does not take place, especially of those parts which first come in collision. In this particular case, it should be remembered that bodies are more or less elastic, and hence the change is not so inconceivable as it otherwise would be.

The paper of Bernoulli was the cause of a lengthened dispute among the mathematicians of Europe, which should not be wholly passed over in our narrative. The laws of the communication of motion and collision of bodies had been long before laid down by Dr. Wallis of Oxford, by Sir Christopher Wren, and by Huyghens, in papers read before the Royal Society of London, in the winter of 1688—1689. The problem of the *measure of force* of a moving body, may be considered as a branch of the same general subject, and it was about this, that Leibnitz and

his followers fell into a dispute with the Cartesians. Descartes had estimated this force by the mass of the body into its velocity; which was implicitly received as correct, until 1686, when Leibnitz announced in the *Leipsic Journal*, or *Acta Eruditorum*, the demonstration of a great error of Descartes, with regard to the measure of the force of moving bodies; and asserted that the force is equal to the mass multiplied into the square of the velocity. The controversy was carried on with the greatest acrimony, by all the distinguished mathematicians of Europe, for thirty years, and it is somewhat singular, considering the talents of those engaged, that it was not until then they discovered that they had not been debating about the same thing, neither had they come to any issue upon the question; the most remarkable instance, perhaps, on record, of the effect of words to mislead the mind.*

Now the question, what is the measure of force of a moving body, is altogether imperfect and unprecise, as much so as if it should be asked, what is the effective power which a horse can exert, without affixing the condition whether on a horizontal plane, or at any or what elevation or inclination. It is obvious, in the last case, that different answers may be returned, each, too, correct as the question shall have been considered, yet different from every other. So, in this dispute between the followers of Descartes and Leibnitz; the bare idea, force, is too vague and indefinite to be measured without some condition be added, and consequently each side was correct in the view in which he considered the problem. When to the question concerning the measure of force, we add, that the moving body is to be opposed by a resistance like that of gravity, as in the supposed case of ascent, it is then true, as Bernoulli contended, that this force is measured by the mass multiplied into the square of the velocity; but when in another case we suppose that the moving body is employed in putting another body in motion, which is itself free to move,

* So animated and engrossing was this dispute, that we find individuals concerned in it whose names may excite no small degree of surprise. Madame de Châtelet, in various publications, entered into the discussion. The name of this lady is well known to the mathematical world, through her translation of an excellent commentary on the *Principia* of Newton. Voltaire, too, the wit and the poet, contended, in a paper presented to the Academy of Sciences in 1746, that the difficulty consisted in a difference of the statement of the question, and consequently the dispute was merely verbal. And in 1748, Dr. Reid, in a memoir published in the *Transactions* of the Royal Society of London for that year, entitled "An Essay on Quantity, occasioned by reading a Treatise, in which simple and compound Ratio are applied to Virtue and Merit," takes occasion to throw out some observations concerning this controversy. "To have fallen short," says Dugald Stewart, in his life of Dr. Reid, "of the success which attended the inquiries of that eminent man (M. D'Alembert,) on a subject so congenial to his favourite habits of study, will not reflect any discredit on the powers of Dr. Reid's mind, in the judgment of those who are at all acquainted with the history of this celebrated discussion."

there is obviously a different condition annexed, and in this case the force is measured by the product of the mass into the velocity simply. The publication of D'Alembert's *Dynamique*, in 1743, may be considered as having put at rest this question of the *vis viva*, as the force of moving bodies was denominated by Leibnitz.

To return to our historical deduction: the great dynamical principle of D'Alembert had left little to be desired, from its simplicity and generality; by it, all the laws of dynamics are referred to those of statics, and the great variety of questions in the former part of the science of mechanics are at once disposed of by a common method. There was wanting something more, however, to render the theory perfect; and this was reserved for Lagrange to supply in his *Mécanique Analytique*, the first volume of which was published in 1788, and to which we have so frequently referred. The general formulas, accordingly, which he there lays down, express the *conditions of equilibrium* among any number of forces which counterbalance each other; these are deduced from the principle of *virtual velocities*, which he adopts, together with that of D'Alembert, as the basis of his work.*

The work of Lagrange is indeed the top-stone of Analytical Mechanics; and has precluded almost every attempt to improve or adorn the science. The labours of the future mechanician will be directed to the application of the formulas which he has discovered; and to the unfolding of the great principles which he has laid down in general terms. Thus is the world under the greatest obligations to this philosopher, whose whole life was spent in advancing Analytical Mathematics; but the *Mécanique Analytique*, that splendid monument of his genius, will be to it a remembrancer of his fame.

Quod non
Possit diruere, aut innumerabilis
Annorum series, et fuga temporum.

The name of Lagrange should properly close the history of this noble science. He was a martyr to the cause, and sealed its perfection by his death.† To few individuals has it been the great fortune to perfect any science; and they are thinly scattered over the world's records; Lagrange is almost of our own

* It may be worth a note to observe, that the introduction of both these great principles, which have now almost perfected the science of mechanics, is materially indebted to the family of the Bernoullis. To John we owe the first clear enunciation of the principle of virtual velocities, in his letter to Varignon, alluded to in an earlier part of this article; while to James we must give the merit of having first used the *dynamical* principle in the particular case of the explanation of the centre of oscillation.

† He died in 1813, from the fatigue attending the publication of the second volume of his great work.

age ; his success we may almost identify as our own ; we therefore may be allowed to erect a cenotaph to his memory, which posterity shall reverence as the pure acknowledgment of his worth by his contemporaries.

The great principles of Mechanics, as we have seen them dawning in their different phases of shadow and of brightness upon the minds of the master spirits of the science, serve the important purpose of stations and landmarks to the inquirer, in prosecuting his deeper researches. They become to him what historical data in the science of government are to the statesman, giving precision to the investigation, and at the same time precluding vain essays over ground already secured.

Although the publication of the *Mécanique Analytique* of Lagrange seemed to supply all that was wanting in order to render *Analytical Mechanics* complete, there have, nevertheless, since, appeared many valuable works upon this branch of the investigation, mostly however of an elementary character. Among these, on the continent of Europe, may be enumerated the *Eléments de Statique* of M. Poinso, the *Mécanique Analytique* of Prony, and the highly excellent *Traité de Mécanique* of M. Poisson ; to which may be added the treatises of Venturoli and of Boucharlat. The scope and design of these works, of course, is only to develop those principles which had been previously laid down generally ; and to give them particular applications in practical use.

We look in vain, however, for evidence of similar activity among the English mathematicians, in improving and arranging the analytics of mechanical philosophy. With the exception of the practical treatises of Gregory Atwood and a few others, little has been done of late, worthy of observation ; but as if satisfied with the glory of her Newton and his contemporary countrymen, England seems disposed to give over all further effort in the elucidation of rational mechanics.* That she might rest upon that glory is true ; for the name of Sir Isaac Newton will exist when she herself shall have been blotted from among the nations of the earth, and remembered only in the fame of her gifted son : but little does it behoove her so to do, when she is laying so strong a claim to scientific superiority. It cannot indeed be denied,

* In an article in the sixty-eighth number of the Edinburgh Review, on the *State of Science in England and France*, after the unwilling admission that "in the pure mathematics, indeed, which of late years have been the most brilliant of all sciences in France, we are ready to allow a temporary but a decided superiority over Britain," the writer consoles himself and his readers with the derogatory idea, that "the *methods* by which the *modern French* mathematicians have advanced, are of Newtonian invention, and among the gradual efforts of the mind of man. We are far from admitting," he continues, "either that the improvements of Lagrange, Laplace, &c. bear any thing like the ratio to Newton, which Newton bore to all his predecessors."—pp. 392-3.

that in the mathematical sciences, Britain is now far behind her emulous rival on the opposite side of the channel; whatever she may have to boast of in moral and political knowledge.

Our own country has as yet been greatly deficient in works adapted to the improved state of analysis; owing, however, to very obvious causes. The Cambridge course of mathematics, comprising translations of different French treatises, has but imperfectly supplied the deficiency in part, though much praise is due to the worthy professor who has thus introduced those works to the American public. The undertaking of Dr. Bowditch to furnish his countrymen and the world with a translation of and commentary on the *Mécanique Céleste* of Laplace, augurs brightly for the future: and if the profound commentator should be spared to complete it in the same manner as he has done the part already published, we hazard nothing in saying that he will have won for himself a fame hardly inferior to that of his justly celebrated author.

To Dr. Renwick, however, it has been left to present to the student of mechanics a treatise on that science, especially deserving of his consideration; one, which, if we do not greatly mistake, will elevate its author higher in the estimation of the public, than any of his previous and valuable publications have done. The numerous sources from which he has drawn his materials, show how extensive has been his research, while the judgment with which they are used, is no less favourable to his ability for the task: it is, indeed, a difficult and arduous work to canvass the great bulk of matter which has been written upon mechanical science, and from it to reject and adopt discriminately.

In this work, the science of mechanics is considered both in theory and in its practical application; the two first of the six books into which our author has divided his subject, being devoted respectively to equilibrium and to motion in the abstract, and the remaining four to the application in practice of the principles previously unfolded.

In the first book, Dr. Renwick, after stating some general principles, takes up the theory of equilibrium as applicable to forces acting in the same line, to forces converging to a point, to parallel forces, and to forces in the same plane, neither parallel nor converging to a point. He lays down the method, first invented by MacLaurin, and now universally adopted by mathematicians, by which the position of a point is referred to three planes, which are supposed to be immoveably fixed in absolute space, and which intersect each other at right angles, thus making eight compartments. The perpendicular distances of the point from these three planes, immediately determine its position; so that the path of a body continually changing, and thus describing a curve of double curvature, is simply and elegantly

expressed by three equations. These perpendicular distances, or their projections on the planes, are called the *co-ordinates* of the point; the lines of intersection of the planes are called the *axes of the co-ordinates*; and the common point of intersection of the three planes, is called the *origin of the co-ordinates*—expressions which have become familiar to the student of mechanics.

In the third chapter of this book, we have an elegant yet simple demonstration of the proposition of the “Composition and Resolution of Forces,” one of the most important theorems in the science, and which is now generally laid down as the fundamental principle of the theory of statics. It is thus enunciated, —“The resultant of two forces converging to a point, is represented, both in magnitude and direction, by the diagonal of a parallelogram constructed on the two forces as sides.” The demonstration of Laplace, and of later mathematicians, is adopted in preference to that which we find in the first book of the *Principia*.*

The case in which parallel forces having contrary directions have no resultant, and which has given rise to the *Theorie des Couples*, first unfolded by M. Poinsot, in his *Elémens*, published in 1803, is also taken notice of in this book. The effect of a pair or *couple*, is obviously to give the points of application motions in the directions of the forces acting upon them respectively, and so to cause the *line of application* to revolve; “the two forces would finally act in the same line, and in opposite directions; they would then cease to be parallel. Two such forces, then, so long as they continue parallel, have no resultant, neither can they be in equilibrio.”

In the second book, which, as we have already stated, treats of the theory of motion, the law of inertia, by which a body will move on for ever with uniform velocity in the direction of the force impressed upon it, if no other force interfere, is first laid down, and from it the principles of uniform and variable motion are deduced. This indifference of matter to a state of rest or of motion, is no less the result of experience and observation, than of abstract reasoning; for while we can see no reason which should make inert matter of itself change its state, we may also remark, “that the more we lessen the resistance, the longer is the continuance of the motion; and that we can, in almost all cases, ascribe the diminution of the motion, or its change of direction, to forces that we know from other circumstances to be acting; and hence infer that were these resistances inoperative, the body would move uniformly in a straight line.

* It is almost the only objection to the excellent *Meccanica* of Venturoli, that he adopts the demonstration of this principle as given by Newton, in preference to the much more elegant one of modern writers.—See his Work. Book I. c. 2. p. 3.—*Milan ed.*

It is however obvious, that there are two distinct kinds of motion; first, where it is *uniform*, that is, where the body describes equal spaces in equal times, as it would if it were projected into absolute space, and the projectile force immediately withdrawn; and second, when it is *variable*, which is occasioned by a force continually acting upon the body. But, for the sake of analytical investigation, we consider the latter as made up of a series of uniform motions, so that in the equation expressive of uniform motion

$$v = \frac{s}{t} \quad (1)$$

in which v denotes the velocity, t the time, and s the space described, s and t becoming infinitely small, their fluxional value is represented thus,

$$v = \frac{ds}{dt}, \quad ds = vdt, \quad dt = \frac{ds}{v} \quad (2)$$

Now if dv , the differential of the velocity, be its increase for the time dt , dv will be equal to the product of the force f , into the time dt ,

$$dv = f dt$$

and

$$f = \frac{dv}{dt} \quad (3)$$

then, as we have by the first of the equations (2)

$$v = \frac{ds}{dt} \quad (4)$$

we now have by substitution

$$f = \frac{d^2s}{dt^2} \quad (5)$$

which are the equations of variable motion.

In that species of this motion where a persticle describes in equal times, spaces increased or decreased by equal increments or decrements, the motion is said to be *uniformly accelerated or retarded*; and in regard to this are to be noticed the following laws: "the velocities are proportional to the times; the whole spaces described, are proportioned to the squares of the times; and if the times be represented by the series of natural numbers, the acquired velocities will be represented by the series of even numbers; the whole spaces by the series of square numbers; and the space described in the successive units of time, by the series of odd numbers."

In chapter fifth of the second book, Dr. Renwick has given a very interesting investigation of the motion of points compelled to move upon surfaces under the action of accelerating forces. The simplest case of this description, is that of the motion of a material point down a plane, inclined to the direction

of an accelerating force, or down a system of plane surfaces; in either of which cases, the velocities attained are equal, if the heights of the planes be equal, whatever be their inclination; and as a curved surface may be considered as a system of infinitely small planes, the same proposition accordingly holds true with regard to the descent along such a surface.

We are precluded by our limits from following out the investigations of our author, in this most engrossing part of the subject of motion, in which he treats of *trajectories* or *orbits* described by a body acted upon by a projectile force, and an accelerating force directed to a fixed point. The theory of central forces is simply and clearly developed in the case of a circular orbit; in the course of which, we have it remarked, that the relations among the forces, velocities, times, and spaces, that are found with respect to circles, may be applied to the case of other curves; for a motion in a curve may for a short space of time be considered as corresponding with that in a circle, whose radius is the radius of curvature of that part of the curve. The next step presents us with the general principles which are applicable to the most complex action of forces, by resolving all the forces into three, parallel to three rectangular co-ordinates.

The remaining part of this book is taken up with the enunciation and deduction of the dynamical principle of D'Alembert, and of the principle of virtual velocities. In the demonstration of the latter, the method of Lagrange is adopted, though not with that fulness which generally characterises the previous investigations in this work.

The preceding brief and necessarily imperfect analysis of the two first books of Dr. Renwick's treatise, will perhaps be sufficient to point out their contents and their merit; while a more particular reference would be uninteresting to any but the scientific reader. The numerous practical applications of the principles there unfolded, to the equilibrium and motion of solids and fluids, occupy the remaining, and by far the greater portion of the work. The beautiful adaption of analytical investigation to the important cases in demonstrative mechanics, is shown on almost every page, by the actual exercise of this powerful aid.

In the third book, Dr. Renwick proceeds to apply the general principles of equilibrium to the motion of solid bodies acted upon by the force of gravity. In the second chapter, we have a concise explanation of the experiments of Maskelyne at Schehallion, and of those of Cavendish; by which the fact of the deflection of the plumb line by the attraction of mountains, first suspected by Bouguer, one of the individuals sent out to Peru by the Academy of Sciences in 1735, has been fully confirmed; and from which, with the geological data furnished by Professor Playfair, Hutton has calculated the mean density of the earth to be 5,

taking water as the unit. These results have been further confirmed by the observations of the Baron de Zach, made in the neighbourhood of Marseilles. The principle of the apparatus of Cavendish, first suggested by Mitchell of the Royal Society, by which the mutual attraction of bodies on the surface of the earth is detected, is thus given :

"If a bar of an inflexible substance be accurately poised by its middle, in a horizontal position, by means of a thread or wire, the nature of the thread or wire is such as to bring it to rest in one particular position. A small force will be sufficient to withdraw the bar from this position, but the twisting or torsion which this deflection will cause in the wire, will gradually oppose an increasing resistance, until this latter exceed the deflecting force; the torsion will then cause the bar to return to its original position, whence the deflecting force will again compel it to move. Hence the bar will oscillate between two points, determined by the intensity of the deflecting force and that of the torsion of the wire. The rapidity of the oscillations will furnish a measure of the intensity of the deflecting force."

In the same chapter are explained the experiments of Atwood, by means of which the physical proof of the mathematical inferences is attained. In his machine, two bodies of different weights are united by a rope passing through a pulley, and accordingly, the heavier will cause the lighter to ascend, while it descends through an equal space, though the motion is not so rapid as it would be if either body were free; from an investigation of this machine, we arrive at the following, as its law: the force which remains to cause the descent of the heavier body, is to the whole force of gravity, as the difference of the weights of the two bodies is to their sum.

The properties of the centre of gravity; the action of the retarding force of friction; and the theory of simple machines, not only in the abstract, but as affected by friction, are distinctly treated of in the succeeding chapters. In that on the strength of materials, the hypothesis of Galileo is shown, contrary to the general methods, to be in a very great degree consonant with the results of the most accurate experiments. Tables also are given of the strength of different metals, and of different kinds of timber, drawn in the directions of their fibres, and at right angles to their fibres; those of the latter are compiled from the experiments of Professor Barlow of the Royal Military Academy at Woolwich, by far the most accurate which have been given to the world.* The equilibrium of artificial structures is the subject of the last chapter, the most important part of which is that devoted to the theory of arches; in this, Dr. Renwick rejects the

* We observe that several errors, of some importance, have crept into these tables. Thus the strength of teak, pulled in the direction of its length, is given as 15,000 pounds for the area of a square inch, when it should be 15,500 pounds; so the strength of ash, drawn at right angles to its fibres, is set down at 359 pounds, the correct amount being 395 pounds; and one or two others of minor note.

old theory founded on the properties of the wedge, and adopts the more accurate investigations of Gauthey, founded on the experiments of Davisy and Boissard, and the observations of Peronet.

The theory of the motion of solid bodies, which is discussed in the fourth book, is applied to the two very important subjects of projectiles and the pendulum, which are illustrated at considerable length. In treating of the former, our author gives many useful hints in relation to practical gunnery, which we think are well worthy the consideration of the constituted authorities of our government. After referring to the results of Count Rumford, which make the force exerted by confined gunpowder equivalent to the pressure of one hundred thousand atmospheres, he observes,

“There being this great difference in the action of gunpowder, when it is exerted against a body that is easily set in motion, and when it is closely confined; it will be at once seen that great dangers may arise, when, from accident or intention, the projectile to be launched from a piece of ordnance, is resisted in its motion. Thus, if the muzzle of a gun be inserted in water; if a portion of air be left between a wad and the rest of the charge; if the projectile be of a hard material, and of such a shape that it may strike before it issues from the piece: in all these cases the strength of the material of which the piece is formed, may not be sufficient to resist the accumulation of force, and bursting may be the consequence. So, also, if the wad be of a cohesive material, such as tarred yarn; and particularly when it is so large as to enter the piece with difficulty, similar consequences may ensue. To the latter cause we may with certainty attribute the bursting of guns in the navy of the United States, and the frequent loss of them in the proof. We have ourselves witnessed a case in the proof of guns, where the balls made their way through the sides of the piece, and large portions of the wad remained sticking to the bore in front of them.”

The fact that the initial velocity of the ball increases in a much less ratio than the length in the bore, and, that great velocities do not produce proportionate ranges, leads to the conclusion that neither great lengths nor large charges are ever necessary.

* With small charges, the metal of the piece is less strained than with large, and thus not only may the length but the thickness of the piece be reduced. The results of the experiments of Robins and Hutton, have led to the lessening of the size and weight of most of the pieces of ordnance. A great and sudden improvement was in consequence made in the artillery services of Europe, about the commencement of the wars of the French revolution. No field-piece has now a bore of more than eighteen calibres in length, which is, or was lately, the regulation in the French service. In the English service, the regulation is fourteen calibres, while in the American, during the late war, it was reduced to twelve, and the pieces weighed no more than one cwt. to each pound of ball. These were found to be sufficient for all the purposes of the service. An unwise policy has lately led to the alteration of the model, by giving the bore the proportions of the French pieces, yet without increasing the weight; it has, however, been found that pieces of the new model, even after standing proof, have burst in the schools of practice.”

The remarks which follow, on the shape of cannon, and on the laws and circumstances attending the penetration of balls,

are replete with interest ; and the subject is concluded by some observations upon the species of motion, known by artilleryists as the *ricochet*, where balls striking upon a surface, of water for instance, in an oblique direction, are reflected, and thus impinging at very small angles, are made to rise several times.

"The guns in these batteries are fixed at elevations of 4° or 5° , with charges of gunpowder that enable the balls, in the descending part of their path, just to raze the opposing parapet : they, therefore, bound along, parallel to the direction of the front to be attacked, dismount the guns, and destroy the defences.

"Under the fire of these *ricochet* batteries, approaches are made to points sufficiently near for the erection of batteries in breach ; by these the walls are destroyed. It is in consequence of this method, which was invented by Vauvenot, that the means of the attack of fortresses have become superior to those of defence, and that the time of resistance of a fortress can be calculated with almost mathematical precision."

As might have been anticipated, we have, in the chapter on the pendulum, a full development of its use as a standard of weights and measures, and a comparison of the several systems established in Great Britain, France, and in the state of New-York. It is the merit of the last mentioned to have adopted the suggestions of Dr. Renwick, made by him elsewhere,* by which uniformity and certainty are secured, and the whole system placed upon a strictly scientific basis.

It had been generally supposed that the seconds pendulum vibrating in a given latitude was a constant and invariable quantity, until the experiments of Borda and Sabine, more particularly those of the latter, disclosed the influence of local attraction ; so that the only correct method is, to take the pendulum measured, in a particular place ; for which purpose some public edifice, which shall have a permanent location, should be selected. And thus the idea thrown out by Mr. Jefferson, as early as 1790, of establishing an uniform system for the United States, by adapting as a standard the pendulum vibrating in latitude forty-five, besides the embarrassing difficulty of determining that latitude, is also wanting in specificness, as not being made in view of the above facts, discovered by Sabine.

In the systems both of Great Britain and of New-York, the pendulum is taken as the basis. The standard of measure in the former, is the pendulum vibrating in the arc of a cycloid, *in vacuo*, in the latitude of London $51^{\circ} 31' 08''$, and at the level of the sea. The unit of lineal measure is the yard of such length that the pendulum shall measure 39.1392 in.; the square of the unit of length may be used as an unit of superficial measure ;

* In a report on the subject of weights and measures, to the commissioners for "revising the laws of the state of New-York," and published in the *English Quarterly Journal of Science, Literature, and Art*, for January 1827. See also Revised Statutes N. Y. title 2, chap. xix. part i.

the unit of weight is either the troy pound, containing 5760 grains, taking the weight of a cubic inch of pure water at 62° Fahrenheit as equal to 252.458 gr.; or the avoirdupois pound, which is defined as being equal to 7000 grs. troy; and the unit of measures of capacity, is the gallon, which is equal to 10 avoirdupois pounds of water at the temperature of 62°.

The standard of the state of New-York is the pendulum under similar circumstances, and at Columbia college in New-York city. The unit of lineal measure is the yard which bears to the pendulum the proportion of 1,000,000 to 1,086,158; the length of the pendulum is 39,101.68 inches. By the Revised Statutes it is declared,* that the yard is of the same length as that used on the day of the Declaration of Independence, and which is supposed to be identical with the English Parliamentary yard of 1760, and with the present British Standard; each, however, in the comparison, is to be taken at its own standard temperature; that of New-York being melting ice, and that of the English system 62°. The unit of measures of weight is the avoirdupois pound of such magnitude that a cubic foot of distilled water at its maximum of density weighed in a vacuum is equal to 62½ pounds; the unit of dry measures of capacity is the gallon, which holds 10 pounds of pure water; and the unit of liquid measure is the gallon holding 8 pounds of distilled water at its maximum of density. This last is a deviation from Dr. Renwick's plan. In relation to these two systems, we find the following remarks.

"To the English system, it is to be objected: that it assumes for its standard the pendulum of a particular latitude, which will not be constant, in consequence of local circumstances; that the determination on the length of this standard, has been performed in a private building, the house of Mr. Brown; that it retains two units of weights of the same denomination, but of different magnitudes; and that its standard temperature is wholly arbitrary, founded on no natural phenomenon, and dependent upon a conventional thermometric scale. The mode of defining its unit of weight, moreover, involves a fractional quantity, and the bulk of water employed in the determination, namely, a cubic inch, is too small.

"To the system of the state of New-York, none of these objections apply, except so far as relates to the double system of measures of capacity. The standard is the pendulum of a particular place: and that, so far as is known, is invariable: that place is a public building, readily accessible: the standard temperatures are defined by physical states of water, in respect to which there can be no error, and which are independent of thermometric scales. The unit of weight is determinable from a bulk of water of sufficient magnitude."

The splendid attempt of the French government, made in the troublous times of the Revolution, deserves mention on account of its philosophic system, and for the light it has thrown upon the whole subject. The unit of lineal measures which it has adopted, is the *mètre*, which is a ten millionth part of a quadrant

* § 2. of the Title before referred to.

of the meridian, the standard temperature being that of melting ice; the unit of superficial measure is the *are*, a surface of one hundred square metres; the unit of capacity is the *litre*, which contains the cube of a tenth part of the metre; and the unit of weight is the *gramme*, equal to the cube of the hundredth part of the metre, filled with distilled water at its maximum of density. The Greek numerals are used as prefixes to decimal multiples, and the Roman, to decimal subdivisions of the units; thus adopting an easy principle of nomenclature, with the ordinary arithmetical division of decimals. This system, however, though founded on an invariable standard existing in nature, which is determinable with the greatest exactitude, has not answered the purpose of its proposers. In reference to this subject, we cannot do better than quote the language of our author.

"The measures of length are incapable, for instance, of application to astronomical purposes, in which we use the semi-diameter of the Earth, and not its quadrant, as the unit; and these two magnitudes are incommensurable. Neither are we aware that a measure of the meridian in other countries, particularly in our own hemisphere, would reproduce the same magnitude for the quadrant that was obtained in France. The measure of a sufficient arc whence to determine the length of a quadrant, is an operation of great expense, and would occupy a long time; hence, in presenting the types of the units to the National Assembly, the commission propose to verify them if suspected of alteration, and reproduce them, if lost, by reference to the pendulum of the observatory of Paris: thus recurring to the same natural standard that had been rejected by them in the outset. The metre is, therefore, after all the labour that was expended in its determination, no more than a conventional length, whose relation to the seconds pendulum of a particular place is well determined. It has also been found impracticable to introduce the decimal division into the measure of angles; and after strenuous attempts for that purpose, and the laborious construction of new tables, even the astronomers of France have returned to the ancient division of the circle.

"The objections, in a practical point of view, are more numerous, and have been found insuperable. Thus, however well calculated for scientific purposes, and even for those of commerce, the decimal multiples of the units may be, decimal subdivisions have been found unsuited for the purpose of retail traffic; for this object, no other than a binary system can with convenience be used. In fact, in the sub-divisions of the unit, no other method appears to be consistent with nature, and those systems which are founded on divisions by two, appear to defy any attempts to alter them. Thus the system of money in the United States, which is strictly decimal, is only used in written calculations; while the old binary division of the Spanish dollar is retained in all retail operations, in spite of the barbarous nomenclature that is applied to it in some of the states."

The consequence of this has been, that there are now in France three distinct systems of weights and measures;—the old system, the decimal system of the commission, and a system derived from the latter, but which retains the ancient names, and some of the ancient subdivisions.

"Warned," says Dr. Renwick, "by the example of the French, the British, Danish, and American governments have wisely restricted themselves to the verification of the measures in actual use, and their restoration to their true dimensions. The two former, and the state government of New-York, have re-

ferred them to a standard, existing in nature, determinate and easily determinable."

Experience thus seems to point out the necessity of extreme caution in legislating upon the subject of metrology. Innovations, which contemplate the introduction of an entire new system, cannot be enforced even by the most solemn enactments, for so universal and deep-rooted is the use of weights and measures, so extensively does it enter into the daily practice of every individual in society, that human power becomes inadequate to effect the revolution; and the only course which is at all advisable, is to reduce existing measures to an invariable and determinate standard, easily discoverable by scientific methods. Thus, whatever measures may be taken by our national or state governments, it seems desirable that the present English system now in use here, be accurately determined; as to which, the example of the state of New-York appears to be particularly worthy of attention.

By the Constitution of the United States, Congress have the power to fix the standard of weights and measures;* they have not, however, made any provision upon the subject; but it has been left to the disposal of the several states, all of which pursue nominally the same system, though considerable diversity exists among the measures in actual use. With a view to establish an uniformity in this respect, and to fix a standard of weights and measures for the United States, the House of Representatives, on the 14th of December 1819, directed the Secretary of State to report to that house "a statement relative to the regulations and standards for weights and measures in the several states, and relative to proceedings in foreign countries for establishing uniformity in weights and measures." In pursuance of this resolution, Mr. Adams, on the 22nd of February 1821, presented a very particular and elaborate report upon the subject; from the tables accompanying which, the want of uniformity among the different scales in use throughout the United States is fully apparent. Nothing, however, was done by the national legislature, and as we have observed, the matter is still left to the enactments of the individual states.

But to return from this digression; having disposed of the subject of solid bodies, Dr. Renwick, in the two last books, takes up respectively the equilibrium and motion of fluids, or the practical application of the theories of hydrostatics and hydrodynamics, which, as we have seen, he had developed in the former part of his work. In the fifth book, the subjects of the greatest interest and importance are the equilibrium of gasses, having respect to their temperature and that of vapour. In these, the laws of Dalton and Gay Lussac are introduced and examined, preparatory to

* Art. 1. Sect. 8. § 5.

their application, in the subsequent book, to the motion of the fluids which form the atmosphere of the earth. We shall not, however, detain our readers with any observations on these portions of our author's work; but shall conclude our notice with some extracts from his elaborate chapter on canals.

Although the great improvements made within the last few years in locomotive steam carriages, and railways, seem to point them out as a convenient mode of inland transportation, which may be of extensive adoption in the future; yet the system of canals, which has been already so long in use, will, from various causes, continue to be pursued, though undoubtedly less generally than it might have been otherwise. The enormous capital already invested, in this country alone, in canals, of itself precludes the idea of a ready abandonment of this method of transportation. But independently of this circumstance, where the line of transportation is made up partly of rivers and other natural channels, it becomes an object of some importance to have the whole continuously by navigation, in order to save the expense of transferring the freight or cargo; so also, from the natural condition of the country, from the abundance of water, and from the accidental difficulty and expense of railroads, canals will be often preferred.

The subject, however, is at this time one of peculiar interest, when every thing relating to transportation is undergoing such a strict and universal examination, and when improvements in the arts are opening so many new facilities. The nature and merits of the two rival methods, especially, cannot now be too well understood.

Canals are by no means confined in their use to navigation, or to the supply of others intended for navigation. They may be used for agricultural purposes in irrigating land; they may be advantageously resorted to in draining morasses, and may serve the highly important purpose of supplying cities with water, and thus may they in many points of view be considered as indispensable.

The reservoirs in which canals originate, are either natural streams, or artificial basins, in which the water generally has a velocity less than that required for the purposes of the canal, or else has a different direction; and consequently if the canal have a constant section, the diminution of the area of the stream ensues, and a fall is formed at the origin. The canal, therefore, should widen as it approaches the reservoir, in order at the same time to fill the canal, and to give the stream the requisite velocity. After observing that those investigations are objectionable, which suppose that the stream is affected by the same causes which act upon the *vena contracta*, or, that the velocity of the

water in a channel varies inversely as its area, Dr. Renwick informs us, that,—

“It is evident from experiment and observation, in order that water shall enter into a channel without forming a fall, or that it shall completely fill it, the channel must, at the reservoir, have a width greater than the breadth of the uniform section that it has at other points; and this increase of breadth should take place in the form of a curve, convex towards the axis of the canal.

“Such a form is to be found in nature, when streams take their rise in lakes or other similar reservoirs. If a canal be formed in soft earth, it will gradually wear away the earth until it assume such a form, but in solid rock such a shape cannot be spontaneously assumed. In canals made even in soft earth, it is better to give the required shape artificially, than to wait for the slow action of the water.”

The most important part of canals, are the locks by which boats are let down or raised from one level to another, and in which consist the greatest expense and difficulty in canal navigation. The painter Leonardo da Vinci, who was also the engineer of the canal of Martizana in Italy, is said to have been the first who introduced them into use. They have, however, received many very valuable improvements since then, though they yet remain a serious expense of water in the use of canals. To obviate this, various modifications of the inclined plane have been proposed, but as yet without much advantage.

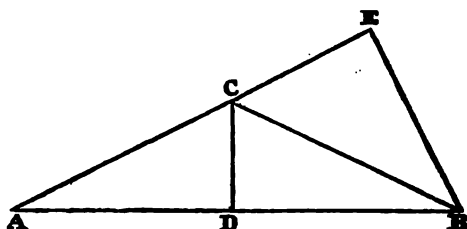
The proper shape and size of a lock, the methods of filling it and of drawing off the water, and the mode of operation in passing the boats, are all detailed at great length by our author. He has also given an investigation, by which we may determine the thickness of the longitudinal walls that confine a lock, when the depth of the water and the nature of the material are given. The subject of lock gates is also treated of, in a perspicuous and practical manner, and the respective cases where the gates are to be formed of one leaf only, and where of two, are pointed out; in regard to the position in the latter case, it is observed,

“When lock gates are made of two leaves, they must be so placed as to afford each other mutual support. For this purpose, instead of shutting in such a manner as to be in one plane, the two leaves make an angle with each other, and the sill has the figure of an isosceles triangle, whose vertex is turned towards the upper part of the canal.

“It will be obvious, that, if this angle be a right angle, the timbers of each leaf will receive the pressure of the other in the direction of their length, and will therefore receive the greatest mutual support; while if they lie in one plane, they will not afford each other any support. But in the former case, the timbers will be longer, and have less strength to bear the liquid pressure which acts upon the leaf of which they are a part, than in the latter.”

We will give the neat investigation which follows, and which we have reason to think original on the part of our author, since to us it is new, of the proper angle at which the leaves should meet so as to possess the greatest possible strength, as an example of Dr. Renwick's method.

"The pressure of water upon the leaf AC, when the depth is constant, will be proportional to the length of AC, which we shall



call l , and the strength of the timbers which form the gate, will be inversely proportional to l ; call the pressure on the unit of surface P ; and S the respective strength of the material. We have in case of equilibrium

$$P l = \frac{S}{l};$$

and

$$S' = P l^2$$

The strength then, in order to resist the pressure, must be a constant function of the square of the horizontal dimension of the leaf; or if we call the breadth of the lock $2a$, and the projection CD of the sill, x , a constant function of $(a^2 - x^2)$. The leaf AC also derives strength from the other leaf BC; if we decompose this force into two parts, one of which is perpendicular, the other parallel to AC, and which may be represented by CE, EB; that represented by EB will alone act to support the leaf AC. But this force will vary with the sine of the angle A, while x varies with the tangent; it will therefore be a constant function of ax , and the strength of the gate will be greatest when

$$a^2 - x^2 + 2ax \text{ is a maximum}$$

or when

$$x = 2a$$

Hence the greatest strength will be attained, when the projection CD of the sill is one-fourth of the breadth of the lock."

We must here close our examination of Dr. Renwick's book; and in parting with an instructive companion, we may recommend him to the attention of all those who wish to combine the theory with the practice of mechanical science. In our introductory remarks, we alluded to the harmony which exists between the two great branches of mechanics; we may now refer the reader to the treatise before us, as an illustration of what is there observed. To the whole subject our author has directed the energies of a mind original and profound, and has brought that accurate knowledge which years of experience in his profession must have accumulated.

It may be objected however by some, that at times he is unnecessarily explanatory and particular. We are inclined to think so ourselves. It has undoubtedly arisen from the circumstance of his public duties leading him to a fuller discussion of the various subjects as *ex cathedra*, than is required in a work intended for the public eye; yet even this becomes no fault compared with its opposite, that of a meagreness of detail, and want of per-

spicuity. In the one case we have a remedy at hand, by passing over what may seem superfluous; but in the other we are forced to supply the deficiency from foreign sources, and thus in a great measure the book becomes valueless.

On the whole, then, we think this decidedly the best treatise on mechanics, which has issued from the American press, that we have seen; one, too, which is alike creditable to the writer, and to the state of science in this country.

The part which we most value, is that on which, perhaps, our author may feel least inclined to rest the merits of his work; we mean the investigations in the first two books. We shall always hail with pleasure any attempt to diffuse mathematical truth, and to display the powers of the new analysis; but especially so, when it is made among ourselves.

America, with respect to her scientific character, has too long been but the reverberation of what has been done in the old world. We have hardly kept up with the progress of the pure mathematics there; and till lately we have had little reason to suppose that the infinitesimal analysis has attracted any great attention among us. But we believe a proper spirit is abroad; and in the energies now putting forth, we hope much and deeply for the future. The commentary on the *Mécanique Celeste*, the second volume of which may have appeared before this meets the public eye, will make an epocha in our mathematical history, of which we of the present day may indeed be proud; but it should be, as we sincerely trust it will, a stronger incentive to contemporaneous exertion.

Union and combined effort are here especially essential to success. The discoveries of mathematicians are free-will offerings to mankind; they are rarely or never paid for; the consequence is, that peculiar circumstances alone are favourable to the proper exertion. Bacon first suggested the idea of academies, as institutions most likely to secure these ends; since his time, many have been founded and fostered, and have fully confirmed the justness of his opinion. The Royal Society of London, the Academy of Sciences of Paris, those of Berlin, of St. Petersburg, and of Turin, all have greatly contributed to the cause of science. We see hence the necessity of harmony and of concert in action, as also of candour and moderation among scientific men. *Optem omnes, quibus serio cordi est profectus solidarum scientiarum, animis non minus quam ingeniis consentire, nihilque omittere quod alere amicitiam queat; cui consequens est, et omnibus modis, et captare quod conciliare, et evitare quod offendere possit; ita tamen ut veritatis jura non lædantur.**

* Leibnitz, *Commercium Epistolicum*, Leibnitii et Bernoullii, *Epist.* XII.

ART. VI.—AMERICAN LAKE POETRY.

- 1.—*Poem delivered before the Society of United Brothers, at Brown University, on the day preceding Commencement, September 6th, 1831. With other poems.* By N. P. WILLIS. New-York: J. & J. Harper: 1831. pp. 76.
- 2.—*Poems* by WILLIAM CULLEN BRYANT. New-York: E. Bliss: 1831. pp. 240.

WE have always considered it very unfortunate for the reputation of American poetry, that just about the time it began to be much cultivated, a false style was introduced into poetical composition, by what are called the "Lake Poets" of England. Several of these, such as Wordsworth, Southey, and Coleridge, being estimable men, and writers of acknowledged capacity, had sufficient influence to bring their style, repulsive as it is to the mass of readers, into favour with certain classes among the literati, who, pleased with its apparent novelty, theorized themselves into an opinion of its merits; and like all converts to a new system, became zealots in maintaining its orthodoxy as a style truly English, and in all respects preferable to that which prevailed during the last century, which they were pleased to stigmatize as too polished and artificial a vehicle for genuine poetry. The candidates for poetical renown on this side of the ocean, drawing, as they habitually do, their canons of criticism from British reviews, fell almost universally into these opinions, and adopted into their own compositions the very worst peculiarities of the new school. Had it not been for this unhappy circumstance, in this manner corrupting their taste, the talent of which there are indications scattered through the effusions of several of our poets, could scarcely have failed to bring forth verses which the world would have welcomed with delight, and repaid with solid patronage and permanent fame.

But our poets have chosen their ill-judged model. They have, in consequence, filled their compositions with epithets without meaning, and sentiment without pathos. They are careless without ease, and laborious without showing polish. Their decorations are tawdry, and impart no elegance to their diction. Their versification is in general sluggish, and often intolerably rugged. They seem to have no relish for that delightful melody, which, in well-written poetry, charms the hearts of men, and is congenial to the soul of every true bard. The result has been, what every sagacious mind would have expected—censure from the wise, and neglect from the public. And is it not to be lamented that so much poetical labour as appears to be exerted amongst us should be exerted to so little purpose? Is there no remedy? Can

the rock on which our poets wreck their fortunes, not be pointed out that they may avoid it? This it would be easy to do, if poets were like other men. With philosophers you can reason; politicians can be bribed; and soldiers may be conquered; but who can manage the self-sufficiency of a poet? We, at present, attempt the ungracious task of showing where those, whose works we have made the subject of this article, have gone astray, not so much with the view of bringing them into the right path—which we deem would be vain labour—as for the purpose of preventing others from following them. We will hold up their works as beacons by which future pilgrims, on the path to poetical fame, may be warned to avoid the snares into which they have fallen, too deeply, we fear, ever to rise again, and become disentangled from their error.

The injudicious praise which these poets have received from pretended friends and sciolous editors of newspapers, has been their great misfortune. It has contributed more than any thing else, to delude them into the opinion that they have adopted the right course, and are careering triumphantly to the brilliant goal of poetical immortality. Sad mistake! Their labours have all been fruitless; and the immoderate trumpeting that has heralded them from one newspaper to another, throughout all the states of this wide-spread Union, has sounded in vain—and for this simple reason—it was soon discovered that it sounded delusively. The editorial commendations of these authors, indeed, for the most part, carried their antidote with them, in quotations from their works. By reading these, whatever favourable impressions the encomiums might have excited, were uniformly extinguished, so that rational men now regard such efforts to dupe them into an approval of what nature and common sense teach them to despise, as utterly unworthy of attention.

But our poets may deem the applause of the newspaper critics, in itself, a sufficient reward for their labours. They may conceive, that although all the rest of the world shall deny their merit, so long as it is confessed and applauded by the busy paragraphists, they ought to be satisfied; for these they may esteem the candid and judicious few, whose favourable verdict is the noblest reward of genius. “A small but fitting audience,” was the wish of the greatest of poets; and in his time such an audience was all that a poet could expect. Readers, in proportion to the rest of mankind, were then indeed so few, that without some great man for a patron, no poet could expect success. But the case is now different. Individual patronage, and small audiences, however fitting, can no longer secure poetical success. Readers are now, in literary countries, nearly as numerous as the population itself. Hence the public has become the great patron,

without whose favour, no writer, whether of prose or poetry, can be successful. With all due deference, therefore, we would suggest to our poetical aspirants, that on the suffrage of the general public alone, can they depend for any reputation worth making efforts to acquire. By the phrase, general public, we mean the great reading multitude of all ranks, classes, and professions, which constitute universal society, in contradistinction to the small knots of literary petitmaitres, who, careless of merit, or unable to discern it, lead inexperienced authors astray, by applauding whatever they suppose to be *fashionable*; or to those good-natured editors, who, from courtesy to bards or publishers, applaud, or at least give circulation to the applause of works, many of which they have not the slightest intention of ever reading;—or to those gossiping critics who may be called parlour loungers, idlers in society, and affected sentimentalists, who, from a desire to be thought knowing in such matters, often talk of the beauties of new books they have never perused, and perhaps if they had, could not understand;—or to those injudicious patriots who imagine that to praise whatever an American writes, however irksome to read, is to promote the prosperity and exalt the character of our national literature. It is the ill-judged panegyrics of any or all of these that we would caution poets against mistaking for the voice of the public, which is, more frequently than otherwise, in direct opposition to theirs. They are the noisy small critics, whose rash and random encomiums, bandied from one to another, have so often intoxicated the young and inexperienced authors of our country, and induced them to believe that common-place productions, which might be creditable enough as college exercises, are not only worthy of the admiration of the world, but have secured it.

Besides these seducers of young poets, there are the hireling puffers, whose business is, for pay, to write commendatory notices and reviews of new works for the booksellers. These often bespatter the selected author so immoderately with praise, that he himself, on reading their remarks, grows astonished at the vastness of his own merit. He imagines that he has become, all at once, the favourite bard of the times; that he has attained the very quintessence of the poetic art; and that, consequently, he need make no further effort towards improvement; but, by continuing to give verses of the same quality to mankind, he will oblige them to admire, and accord to him a glorious position in the temple of fame. These easy-conscienced critics, it is true, are occasionally not altogether useless in their vocation. The ultimate injury they do to poets and poetical literature, by their ill-founded praise, is immense. But they sometimes answer the temporary purposes of their employers, by duping the public into the purchase of an edition or two of the merest trash, as

was lately witnessed in the case of that monstrous poetical abortion "The Siamese Twins." This, in the end, however, turns to the disadvantage of even their employers, by rendering the public suspicious of all literary puffing, even when applied to works of merit. It would seem, therefore, that a judicious regard to their own interests, should induce publishers to discourage a system which they have of late so industriously promoted, and which they may be assured, is, by its intolerable abuse, fast working its own cure.

The author of the first work which we have placed at the head of this article, is a young man whom the ill-directed panegyrics of unthinking editors have done more to spoil as a poet, by confirming him in the bad taste of the Lake School, which, at his outset, he had unluckily made his model, than perhaps any poetical adventurer this country has yet produced. Where is the newspaper reader that has not heard of his fine genius, and seen, we will not say read, many an incomprehensible proof of it, to his great annoyance, staring him in the face on opening his morning Gazette in search of the news of the day? If the reader be a politician, and impatient for foreign news, how often has he been provoked, when, on eagerly opening the just-arrived sheet of intelligence, instead of the announcement of "Late and important from Europe," he finds "A Poetical Fragment, by N. P. WILLIS, Esq." If he be a merchant, how has he been chagrined, when, instead of the arrival of the packet ship *Britannia*, in which he has embarked a large amount of seasonable goods, he meets with "The Leper, a poem by N. P. WILLIS, Esq.?" Does a manufacturer of woollens expect to be ~~edified~~ with Mr. Clay's last speech in defence of the tariff, it is ten to one but he is, instead of it, saluted with "The Wife's Appeal, by N. P. WILLIS, Esq." The words N. P. WILLIS, Esq. constitute the eternal heading which has, for the last three or four years, like an evil conscience, haunted for his sins many an unfortunate newsmonger, who would rather suffer a fit of the night-mare, than be condemned to read a single paragraph of the whining puerilities, or unintelligible jargon, that uniformly follow the provoking announcement.

Seriously speaking, what good has all this eternal blazoning of his name, done this young man? Has it made his poetry popular? Has it made it saleable? Has it made it readable? We deny that it has done either the one or the other. The test of poetical popularity is not the number of newspaper puffs a poet may receive in a given number of months, but the number of persons into whose possession his works have made their way. This is also the test of their being saleable and readable, provided the public have not, as in the already cited case of "The Siamese Twins," yielded to a temporary delusion. In the case of Willis,

notwithstanding all the editorial trumpeting in his favour, this delusion has certainly not taken place, for we will venture to say, that with the reading public he is decidedly and almost universally unpopular. As an illustration, we will cite the city of Philadelphia, which contains a population as much inclined to poetical reading, as any of the same number, promiscuously taken, in the United States. Now, of its two hundred thousand inhabitants, we are certain there is no risk in saying, that not two hundred are in possession of any volume of *Willis's Poems*; nor do we believe that any two hundred of them have ever read even the much lauded production by which, if the Brothers of Brown University have sensations like other men, their patience must have been exquisitely tried on the memorable 6th of September last. Well may their endurance on that day be entered on their archives, to be held forth to their successors, as an instance of philosophical forbearance which they may long admire, but never hope to imitate. For our own parts, if the poem was recited as drowsily as it is written, we pity those good brothers who had not provided themselves with pillows, when the leaden influence of strains so soporific began to work. What a precious concert of somniferous sounds there must have been, when the nasal tubes of the audience began, in comfortable snores, to chime in with the lullaby strains of the poet? But we must be consistent. We just now represented the audience, not as sleeping but as suffering; and it is, indeed, more creditable to lovers of learning, such as they, to suppose that the tension to which they strained their faculties, in order to discover meaning where it could not be found, must have kept them laboriously awake.

If there is ridicule in the foregoing remarks, we wish none of it to fall on the respectable body which composed the audience, except what little they deserve for the palpable blunder they committed in selecting so devoted a follower of the most drowsy of all poetical schools, to exhibit his monotonous and incomprehensible abstractions on such an occasion. Could they not have found a better poet in New England?—By the bye, we fear not. Poetry is not the pursuit in which the truly enlightened inhabitants of that section of our country seem to excel. Their great men, and great men they have produced in abundance, have excellencies of a more substantial nature on which to value themselves. They have Webster's oratory and general grasp of intellect—they have the science of Silliman, the ethical philosophy of Sparks, the eloquent literature of Everett—and, more than all, they have the general good sense, and the diffused information, which characterize a population, that, in point of intelligence, is second to none in the world, of which to be proud. Well may they, therefore, spare, without a grudge, to other lands, the

credit of poetical pre-eminence. Theirs is the land of practical sound sense, industry, enterprise, acuteness, and persevering research, rather than of keen feeling, or glowing and active imagination. If our brethren east of the Hudson are not content with this praise, we cannot help it. Justice will not permit us to accord to them, in addition, that of poetical excellence. Were we to do so, we are sure that the rest of the world would dispute our verdict, and ascribe it to our complaisance rather than our conviction. Whenever a genuine poet arises amongst them, who shall pour forth lays, fervid from the inspirations of nature, and the overflowings of a warm heart, capable, at once, of rivetting the attention and touching the affections of his reader, should we then be still interested in the affairs of this world, we will rejoice at his appearance, and with pride hail him as an honour to our country, and worthy to be cherished by her as a favourite bard.

Yet, as we have already observed, several of our New-England poets are not without talents. A species of cleverness, natural to their race, marks many of their productions, and would, were it not deformed by the bad style of the disagreeable school which so unhappily infects it, secure to itself no small portion of popular favour. How so many of the poets of the present day, could have become so fascinated with a style of writing which no effort of genius—not even the acknowledged talents of Wordsworth, its founder, assisted by all that partial reviewers, and laudatory editors in the interest of the booksellers, could do for it, could ever make popular, is indeed a matter of surprise. That the cool, clear sighted, calculating sons of New-England should, in particular, be so egregiously deceived, and act so inconsistently with their usual shrewdness, could not be believed but for the fact exhibiting itself so broadly and palpably to the world. How have they failed to perceive that all the exertions—and these have been strenuous and unremitted for nearly thirty years—of the friends of Wordsworth, Southey, Coleridge, Keats, Shelley, and the whole tribe of the self-styled “*intellectual poets*,” have never succeeded in rendering the works of either of them in reality popular? Are our Percivals, our Willises, and our Bryants, ignorant of this fact? It cannot be. They are all, we believe, men of observation, and must have some acquaintance with the reading habits of the people, at least of New-England, if of no other part of the world. And there, in their own father-land, as they often endearingly call it, we would ask them, who are the poets most known, most read, most admired? For the productions of what race of bards do their booksellers find a never failing demand? We will venture to say, not the productions of any of the followers of the Lake School. No; for one copy of the works belonging to this school to be found among the favourite books subject to the wear and tear of repeated perusal, in the

libraries of the population of New-England, the probability is that fifty will be found of the poems of Milton, of Thompson, of Young, of Cowper, of Pope, of Goldsmith, of Burns, and of those poems of later bards that are not infected with the insipidity and heaviness of the "Intellectual Poets,"—such as *Marmion*, the *Lady of the Lake*, the *Pleasures of Hope*, *Lallah Rookh*, the *Corsair*, the *Bride of Abydos*, and we may add, *Childe Harold*, the fire of the last canto of which atones for the undue proportion of *Lakish* cloudiness, if we may so term it, which hangs over a great portion of the rest.

Since we have here touched upon the works of Byron, we may adduce him in support of what we suspect to be the true reason, why the uncouth style of which we are speaking, is so generally adopted by our modern poets—we mean the *facility* with which it may be written. Lord Byron, it is well known, heartily despised, and never lost any opportunity of assailing it both by ridicule and argument. Yet his indolent habits obliged him frequently to adopt it, especially after his reputation became so firmly established, that it could bear up against the charges of heaviness of thought, and slovenliness of diction, which are characteristics of the Lake style. The demands of the press upon him were great, while the dissipated habits of his life rendered him frequently incapable of laborious or of polished composition: but fortunately for his publishers, although as he himself well knew, not for his own fame, the Lake poets had shown him an example of poetical writing that required neither. Hence, by dispensing with all arrangement of subject, all natural adaptation of thought, all distinctness of expression, and regularity of versification, he was enabled abundantly to feed the press, then so greedily craving the productions of his pen, whether good or bad, and that too without much expense of either time or study, merely by writing in a desultory, rambling, unconnected style, adopting thoughts just as one happened to suggest another, and clothing them in the first language that offered itself, no matter how rugged, uncouth, or obscure. Of this kind of writing, his correspondence shows, that, in his moments of compunction, he was himself seriously ashamed, and in terms of the bitterest sarcasm, he wreaked his revenge upon the unlucky authors whose example had seduced him into it. In his earlier poetry, that by which he established his fame—his *English Bards*, his *Corsair*, his *Giaour*, his *Bride of Abydos*, and the better parts of his *Childe Harold*, Lord Byron indulges but little in the Lake style, for he then wrote more to his own taste, with a careful attention to excellence, and not merely, as afterwards, to furnish Murray, for stipulated sums, a certain number of verses in as short a period as possible. To earn these sums with but little expenditure of either time or labour, suited well with his intemperate courses,

and drove him, in violation of his own feelings and judgment, to adopt a style of composition which he despised. May not his example have had some effect in seducing our New-England poets into the same style? There is little doubt but it has had considerable; and, connected with the extreme facility with which it may be written, this will satisfactorily account for its adoption, by writers who are incapable of a higher and more finished order of composition.

But why, it may be asked, are Byron's latter works popular, if the style in which he wrote them is such an obstacle to popularity? This question is easily answered. Without taking into view the fascination of the very name of Byron on the minds of numberless readers, and the just influence of such of his productions as are really meritorious, upon others, which induce them to tolerate or overlook what they cannot approve, we are to remember that this poet, having no partiality for this style, even in his most careless performances, frequently departs from it, intermingling with it his own natural clearness of thought and vigour of expression, so as to relieve the reader of that tameness and insipidity inherent in the model his haste had obliged him to adopt. These rapid productions, in reality, are the least popular of his works. They embrace his metaphysical dramas, a few of his misanthropic tales, and various portions of his *Don Juan*. They are, in general, we believe, found to be fatiguing in the perusal, and require the frequent bursting forth of this author's peculiarly impassioned strains, to preserve the good will of the reader, and procure indulgence for the uncouthness of the style.

For our own part, whenever, in reading Byron, we come to the vague abstractions and loose rhapsodies which savour of the inane and frothy manner of the Lake writers, we immediately either close the book, or pass to where we find poetry of a more animated nature. In perusing this author, we believe that the same method is more or less practised by nearly all his readers. In all long poems, there are necessarily occasional passages which partake in some degree of that abstruse dulness which is characteristic of the Lake poetry. The *Night Thoughts* is often rendered heavy by it, which is also the case with some of Cowper's poems, especially those that are in rhyme. Nor is *Paradise Lost*, itself, totally exempt from the blemish. But the striking and numberless beauties of these poems are sufficient, in spite of these lapses into dry and dreamy, and often unmeaning philosophising, to make them forever the favourites of mankind. Yet even to these excellent works we may appeal in proof of the unpopularity of the style we condemn. If we examine any much used copy of either of them, that may at random come into our hands, we shall uniformly find the passages which exhibit indi-

On the first publication of the pompous speeches of the celebrated counsellor Phillips, some zealous admirer of their splendid confusion, but who unfortunately could not penetrate to the meaning of certain passages, published a reward, in a London newspaper, of fifty pounds, to any person who should discover it for him. We have never learnt whether any one was so successful as to gain this reward; but if so, we strenuously recommend the passage we have quoted, to the exercise of his ingenuity.

The chief subject on which Mr. Willis, in this poetical address, has endeavoured to enlighten the United Brothers, seems to be the human mind. We say *seems*, because from the very slight comprehension, which, after a careful and painful perusal, we have acquired of his intentions, we cannot be sure whether he had any subject at all in view. He however talks of the human mind, and the origin of the senses, in the paragraph which immediately follows the exordium. After some precious jargon about "the priceless sight springing to its curious organ, and the ear learning strangely to detect the articulate air in its unseen divisions," &c., he proceeds to say, "knowledge is sweet, and nature is a nurse gentle and holy; and the light and air, and *all things common*, warm it like the sun," &c. How all things common, including of course the freezing north winds of winter, can warm the mind—for we believe it is the mind he means, although the structure of the sentence leaves us to our own conjectures in that respect—like the sun, is beyond our powers to understand. He then, in the following words, introduces us to another mind, which he calls a "mocking soul."

"But manhood comes, and on its bosom sits
Another spirit. Stranger as it seems,
It is familiar there, for it has grown
In the *unsearched recesses all unseen*,—
Or if its shadow darkened the bright doors,
'Twas smiled upon, and gently driven in;
And as the spider and the honey bee
Feed on the same bright flower, *this mocking soul*
Fed with its purer brother, and grew strong,
Till now, in semblance of the soul itself,
With its own mien and sceptre, and a voice
Sweet as an angel's, and as full of power,
It sits a bold usurper on the throne."

This soul, which usurps the throne of its brother, it appears is a *material soul*. "'Tis," says our poetical rhapsodist, "a child of clay, and born of human passions." This is, we believe, new doctrine in the philosophy of man, and if it has not the merit of common sense, it has certainly what Mr. Willis appears to value much more, that of singularity. Indeed, one of the most disgusting characteristics of this author, is his constant affectation of saying odd things in an odd manner. Hence the monstrous absurdities in both thought and expression, with which his compo-

from the resources of his own mind, and scorn to be a servile imitator either of the sentiments or style of any writer or class of writers whatever. Let his thoughts and language flow spontaneously from himself, and they will be sure to flow naturally and impressively. Then, if his subject be well selected, and he is fully master of it, let him strike his harp freely and without fear, for there will be no doubt of his producing strains which will command attention, gain him the favour of his readers, and insure him an honourable fame.

That the poets, whose works are before us, have produced no such commanding strains—that their productions are not characterized by that clearness and force of thought, and that easy, flowing and impressive language which are indispensable to attractive and good poetry, we will prove by a reference to the works themselves. We will lay some passages of them before the reader, on perusing which, if he can discover any of the qualities we have mentioned, he must possess faculties of which we are unhappily devoid. Nor shall we adduce the worst passages we could select. On the contrary, our quotations shall be mostly those that have already been made in the public prints, by ill-judging encomiasts, as examples of poetical excellence, and may, therefore, be readily assumed to be, at least on an equality with the average of their works, in respect to merit. We shall begin with Willis's poetry, as he seems to be the pet of the panegyrists of the day. The following is the opening paragraph of his poem to the United Brothers.

“ If in the eyes that rest upon me now
I see the light of an immortal fire—
If in the awe of concentrated thought,
The solemn presence of a multitude
Breathing together, the instinctive mind
Acknowledges aright a type of God—
If every soul that from its chambers dim
Answers this summons, be a deathless spark
Lit to outburn the ever constant stars—
Then is the ruling spirit of this hour
Compelled from Heaven, and if the soaring minds,
Ushered this day upon an untried flight,
Stoop not their courses, we are met to cheer
Spirits of light sprung freshly on their way.”

Whether the United Brothers, before whom the foregoing exordium was recited, comprehended its meaning; whether the reader who has it now before him, and may study it at his leisure, even after mature examination, shall be able to comprehend it; or whether the author intended that it should be comprehensible by any but those who are initiated into the mysteries of nonsense, we cannot tell; but this we can say, that to us it is an enigma which no one, whom we have yet consulted, has been able to expound.

Several paragraphs, in a more moderate strain, follow this violent effort to delineate the character and actions of Ambition. They are, however, in the true Lake style, abstract and speculative; and altogether too dry and diffusive to form agreeable poetry. The author then manages to introduce, doubtless as a contrast to the former picture, the character and feelings of an unambitious man, "whose soul's errands," he says, "are not done with men." He continues

"Content dwells with him, for his mind is fed,
And Temperance has driven out unrest.
He heaps no gold. It cannot buy him more
Of any thing he needs. The air of Heaven
Visits no freabler the rich man's brow."

Consistency ought to have made the poet suppress the last idea, for he had, a few pages before, represented Ambition as never disturbing men of fortune.

"It follows not with Fortune," &c.

But we now come to five or six lines of perceptible poetry, which it would be injustice to the author to suppress, and which, with one or two other passages of almost equal merit in this performance, evince him to have received from nature, a fancy, which, if it were under the dominion of good taste and a cultivated understanding, could scarcely fail to render him a respectable poet. Of the unambitious man, he says,

"He has his portion of each silver star
Sent to his eye as freely, and the light
Of the blest sun pours on his book as clear
As on the golden missal of a king.
The spicy flowers are free to him; the sward,
And tender moss, and matted forest leaves,
Are as elastic to his weary feet."

But, unfortunately, he cannot long preserve this pleasing and intelligible strain. He soon launches forth into the conceits and mystifications which he seems to think constitute the true essence and prime charm of poetry. The foregoing good verses, are succeeded by the following puerile attempts at what may be termed fancy-writing.

"The pictures in the fountains, and beneath
The spreading trees, *fine pencillings of light*,
Stay while he gazes on them; the bright birds
Know not that he is poor; and as he comes
From his low roof at morn, up goes the lark,
Mounting and singing to the gate of Heaven,
And merrily away *the little brook*
Trips with its silver feet, and a voice,
Almost articulate, of perfect joy."

The poet next introduces himself; and with all that modest egotism, which is vulgarly called fishing for praise, apologizes

for his youth and his want of knowledge, and tells his audience he would not seem presuming—an apology which might have been as well omitted, after the pompous display he has just made of his knowledge of the philosophy of the human mind. He then goes on to give a lecture on knowledge itself, and affirms, in emphatic italics,

"All knowledge is not nourishment."

This he adduces as the first lesson which the world has taught him. He then informs the United Brethren, in a very long metaphor, that the thirsty scholar who stands beside the stream of knowledge, is in danger of drinking very bad water; because,

"Genius, like a fallen child of light,
Has filled the place with magic, and compelled
Most beautiful creations into forms
And images of license, and they come
And tempt you with bewildering grace to kneel
And drink of the wild waters."

He then continues a course of that dull rambling species of speculation, so characteristic of the Lake School, in which we occasionally seem to catch his meaning; but it is of so slippery a nature, that we have it no sooner in our grasp, than it glides from our fingers. His manner reminds us of the verses written by the HINDAS, the NORNAS, the ROSAS, the SYLVIAS, and other lady-bards of the day, or of the SYDNEYS, the BELMONTs, the ALONZOS, and similar genteel versifiers of our own sex. As we read them rapidly, a confused image, somewhat resembling meaning, passes through our mind; but when we pause to get a more distinct view of it, the phantom vanishes into air.

The second lesson which our bard's experience of the world taught him, was to "unlearn contempt," which he declares to be

"——— The sin
That is engendered earliest in the soul,
And doth beset it like a poison-worm,
Feeding on all its beauty."

We leave it to the casuists to settle the philosophy of this assertion, and hasten to lay before the reader, in the arguments by which the poet attempts to sustain it, another specimen of that conceitedly obscure style in which he seems to excel all his modern competitors. Only a few of the elder metaphysical bards of England, such as Donne and Cowley, equal him in this particular. He says of contempt—

"——— As it steals
Into the bosom, you may see the light
Of the clear heavenly eye grow cold and dim,
And the fine upright glory of the brow
Cloud with mistrust, and the unfettered lip,
That was as free and changeable as the wind,
Even in sadness redolent of love,
Curled with the iciness of a constant scorn."

Now comes the peroration of this truly narcotic production, and it is to us as utterly unintelligible as the exordium. We shall give it without further comment, in hope that the reader's acuteness will enable him to discover some meaning or other, which, if it should not be the right one, may at least satisfy himself.

" Oh, if we are not bitterly deceived—
 If this familiar spirit that communes
 With yours this hour—that has the power to search
 All things but its own compass—is a spark
 Struck from the burning essence of its God—
 If, as we dream, in every radiant star
 We see a shining gate through which the soul,
 In its degrees of being, shall ascend—
 If, when these weary organs drop away,
 We shall forget their uses, and commune
 With angels and each other, as the stars
 Mingle their light, in silence and in love—
 What is this fleshly fetter of a day,
 That we should bind it with immortal flowers!
 How do we ever gaze upon the sky,
 And watch the lark soar up till he is lost,
 And turn to our poor perishing dreams away,
 Without one tear for our imprisoned wings!"

To discover good sense amidst the grandiloquence of this sentence, and the philosopher's stone, we believe would be equally easy. Indeed the extreme indifference to that quality which forms the foundation of all good writing, manifested by Mr. Willis in his poetical productions, would induce us to imagine that he considers it of no consequence in poetry. At all events, he must be of opinion, which it would also seem, from their effusions, many of our modern poets are, that poetry is good in proportion to the difficulty of discovering its meaning, and that he who writes most mystically is the chief proficient in his art. How otherwise can we account for the perpetual efforts so apparent in his compositions to avoid being understood? Why does he take so much trouble to exclude natural phrases, and direct expressions, selecting continually in their room those which have a mere sidelong or partial affinity to the thoughts he is attempting to convey. Is he deficient in his knowledge of the true signification of English words? This we cannot believe; for he has taken great pains to inform the world that he has been a true student, college bred, and not one of your rustic self-taught geniuses who cannot be expected to express themselves in good classical and intelligible language. In our opinion, had he been one of these geniuses, there would have been an excuse for the confusion and obscurity of his style, which does not now exist. It is surely not the design of colleges to teach young authors to write incomprehensibly; and the *Alma Mater* of Mr. Willis has

much to answer for, if the peculiarities of his style have been owing to her instructions.

The other poems in the volume of this author, are much of the same stamp with that on which we have been commenting. The same abstruse and desultory mode of thinking, the same straining after fanciful imagery and tawdry ornament, the same efforts to be profoundly obscure or incomprehensibly sublime; in short, the same indistinctness and bombastic affectation of both thought and expression, run through the whole volume, and indeed through all the poetry of this writer which has fallen under our notice, with the exception of some of the smaller pieces, which are less ambitiously decorated with his peculiar ornaments, and will, therefore, be found less disagreeable to the intelligent reader.

The poem which succeeds the Address to the United Brothers, is called "THE DYING ALCHEMIST." It is a quaint subject, very little attractive to the general reader; and that the style is not more attractive than the subject, will be perceived by the following specimen, which forms the opening paragraph.

"The night-wind with a desolate moan swept by,
And the old shutters of the turret swung
Screaming upon their hinges, and the moon,
As the torn edges of the clouds flew past,
Struggled aslant the stained and broken panes
So dimly, that the watchful eye of death
Scarcely was conscious when it went and came."

Does the poet mean that the eye of death was scarcely conscious when itself went and came, or when the moon went and came? But why should we ask what he meant, when it is most likely, that, as usual, he meant nothing at all.

We extract the following passage, in which he violently endeavours at the sublime, as a proof that such endeavours have been sometimes found to reach the ridiculous.

"And thus had passed from its unequal frame
A soul of fire—a sun-bent eagle stricken
From his high soaring down—an instrument
Broken with its own compass. *He was born
Taller than he might walk beneath the stars,
And with a spirit tempered like a god's,
He was sent blindfold on a path of light,
And turned aside and perished!*"

Here we have a picture of a human being, or rather human monster, one *born too tall* to walk beneath the skies! an original, for which, we venture to say, nature, in all her freaks, never yet produced a parallel. This man, whose stature was of such an inconceivable height, and who possessed a soul of fire, was also a *sun-bent* eagle stricken down from his high soaring, and at the same time an instrument broken with its own compass. With a spirit like a god's, this wonderful non-descript was sent to travel in an illuminated path; but unfortunately he was sent blindfolded. No

wonder, therefore, that he missed his way and perished. The painter who could embody this picture upon canvass, would produce a miracle of art that would truly entitle him to immortality.

The next poem, "The Leper," is on a still more disagreeable subject than the preceding, and much of it, though not the whole, as disagreeably written. From the better portion of it we select the following lines, which we esteem not only the best in this poem, but in the whole volume. They are descriptive of the Saviour when he comes to cure the Leper, and are free from the clumsy tawdriness which generally infects this author's descriptions.

"Love and awe
Mingled in the regard of Helon's eye
As he beheld the stranger. He was not
In costly raiment clad, nor on his brow
The symbol of a princely lineage wore.
No followers at his back, nor in his hand,
Buckler, or sword, or spear—yet in his mien
Command sat throned serene, and if he smiled,
A kingly condescension graced his lips,
The lion would have crouched to in his lair."

But such poetry comes so seldom from this writer, that it seems as if it came only by accident, and is so little in his usual style, that when we meet with it in his pages, we wonder where he obtained it. Its perspicuity is really refreshing amidst the prolix mystifications that surround it; it is an oasis in the midst of a boundless desert. There is in these poems by far too little of it to atone for the innumerable blemishes of the volume, or to afford the mass any chance of ever becoming popular. The very subjects which Mr. Willis has here chosen, are sufficient obstacles to the attainment of popular favour, without taking into account the indistinctness or extravagance of the thoughts, and the affectations of the style.

The great end of poetry is to communicate pleasure; but how can that be accomplished when even the subject is revolting? Who can expect, by any art of composition, to make the writhings of a dying Alchymist, or the groans of a loathsome Leper, agreeable to the fancy of a poetical reader? But there is a poem in this volume, which we have not yet mentioned, the subject of which is the most painful to the human feelings that can well be imagined. The heart recoils from the shocking pictures of barbarity contained in "Titus Andronicus," and the play, in consequence, is universally condemned. Shakspeare is shielded from the odium of having written it, by the agreement of the world to consider it as falsely ascribed to him, from a conviction that he could not possibly have given existence to a production so revoltingly barbarous. Yet the atrocity of that drama, coarse as it is, fades to nothing, in comparison with the horrid and

disgusting cruelties, on which, in long and minute description, our poet dwells, in the poem before us. The title of the poem is "Parrhasius." The subject is the Athenian painter of that name, putting to death, by extreme torture, a venerable old man, whom Philip of Macedon had taken prisoner in one of his wars, and sold at Athens to slavery, where the painter bought him for a purpose more shocking to humanity, than even the modern savageness of Burkism, namely, that he might, by witnessing the effects produced upon the frame by severe torture, be enabled to depict more forcibly the fabled sufferings and passions of Prometheus. For a poet to suppose that his readers would contemplate with complaisance, or even patience, the horrid details of human agony contained in this production of Mr. Willis, evinces a very harsh opinion of the hearts of others, or else a very indurated state of his own. We will quote no part of this savage and disgusting poem, for we wish not to harrow our readers with those images of cold-blooded cruelty, in which, no doubt, the author believes its chief excellence consists, but from which, we are persuaded their better feelings would shrink.

We shall now close our remarks upon this volume, which is, really, taken altogether, one of the most unpleasant we have ever attempted to read. Yet it leaves a vague impression on the mind that the author has talents—or rather that he possesses a wild, undisciplined fancy, which with his fondness for singularity and conceits, perpetually carries him into what may be called the ultraism of an extravagant style, beyond the regions of common sense, where no reader can have any desire to follow him.

We come now to the volume of Bryant, another author who has abundantly experienced the favour of the periodical press, without receiving that of the public. The faults of this poet—we mean the obstructions to his popularity, for his admirers will not consider them faults—are the same in kind, but not in degree, with those of Willis. He belongs to the same school, though he does not carry its peculiarities to such a fanatical extent. His versification is formed upon the same quaint and sluggish model; but he oftener deviates from it, and infuses into it a degree of spirit, which renders many of his productions not displeasing to those who are fond of poring over sentimental stanzas or fragments in prosing blank verse.

That the principal poems of this volume are upon subjects not the most happily selected for drawing popular attention, will be sufficiently seen from the titles of the four first on the table of contents. They are, "The Ages," "To the Past," "Thanatopsis," and "The Lapse of Time." We also observe, scattered on different parts of the same table, "The Old Man's Funeral," "Rizpah," "The Massacre at Scio," "The Indian Girl's Lament," "Monument Mountain," "The Death of Aliator," "Mary Mag-

dalen," "The Murdered Traveller," "The Disinterred Warrior," "The two Graves," "An Indian to the Burying-place of his Fathers," "After a Tempest," "The Burial-place," "No man knoweth his Sepulchre," "Hymn to Death," and other titles betokening an excess of subjects of a sombre and heavy character, which gives to the volume rather a forbidding aspect for such readers as do not wish to overstock themselves with ideas of a melancholy description.

But we wish not to prejudice our readers against Mr. Bryant's poetry. Throughout the principal part of the effusions before us, he exhibits a manliness of thought, and a facility of expression, which, after the perusal of Willis's rhapsodies, we found a real relief to our jaded faculties. Mr. Bryant, although he generally uses the prosaic diction of the Lake School, keeps tolerably clear of its abstruse manner of thinking; and but seldom indulges in the conceits and occult meanings so prevalent in the poetry of that school, particularly as it is written by Shelley, Keats, Willis, and Percival. He also avoids the contemptible affectation of infantile simplicity with which Wordsworth so often degrades his pages; but he has none of this amiable but heavy poet's original vein of philosophical reflection on the dispositions of man, and but little of his graphical power in depicting the appearances of nature. Among the living poets of England, in looking for a parallel to him, we can think of none whom he more nearly resembles than Bernard Barton, whom we consider a respectable poet, but not a great one. Bryant and Barton are both pure in their sentiments, just in their allusions, and for the most part, accurate, although seldom striking in their imagery. Neither of them exhibits much expansion of mind, nor has either attempted any subject requiring the exertion of great talent. They seem content with moving slowly, and with serious aspects, around the foot of Parnassus, deterred from more lofty endeavours either by conscious inability to soar higher, or a dread of exhibiting to the world the awkward figure which so many of their ambitious contemporaries have displayed, in abortive efforts to reach an elevation to which their powers could not carry them. By such prudence, or, if they will be better pleased with the word, modesty, these writers, although they may not have secured popularity and fame, have escaped contempt and neglect, and are entitled to a place among the many sober, sensible, sermonizing poets of the day, who attempt not to emulate the more highly gifted bards, whose vigorous minds enable them to rise to the loftier stations of poetical renown.

We shall make no extracts from Bryant's volume, for the sole reason that it contains but little that we can severely condemn, and less, perhaps, that we can warmly praise. Its chief blemishes are of a negative description. It possesses little that can

excite the reader, either by awakening his curiosity, or interesting his heart. Page after page may be perused, if the reader has sufficient patience, with dull placidity, or rather perfect unconcern, so that the book shall be laid aside without any single passage having been impressed on the mind as worthy of recollection. A vague remembrance may be left of many passages abounding in good sense, and correct in their moral tendency; but on the whole, rather common-place, and encumbered with verbosity. The positive faults are principally in the diction. But as they are common to the writings of all the disciples of the Lake School, we shall not here enlarge upon them, especially as this article is already extended beyond the bounds we had prescribed for it. We cannot, however, avoid taking notice of a very awkward offence against prosody, of frequent occurrence in the pages of Bryant—we mean the compressing into two syllables such words as *beautiful, delicate, prodigal, merciful, innocent, horrible, &c.*, which no ear accustomed to pronounce English words accurately, can tolerate. No poet who studies harmony of composition—and harmony of composition, let the Lake Poets say what they please, will always be preferred by the great majority of poetical readers, to ruggedness—will ever write such verses as the following, which we find in the first poem of Mr. Bryant's volume.

“Does *prodigal* autumn to our age deny—”

In our opinion, “Does *lavish* autumn,” &c, would not only be better metre, but more poetical phraseology.

“Look on this *beautiful* world, and read the truth.”

Would not *beauteous* be the epithet that would have occurred to every poet of a correct ear, who did not affect singularity of expression?

“Will then the *merciful* one who stamped our race.”

“Now that our *flourishing* nations far away.”

“He who has tamed the *elements* shall not live.”

“In God's *magnificent* works his will shall scan.”

These examples of tripping metre, are taken from four consecutive stanzas: and such are, in fact, so abundant throughout the volume, that we suspect some unlucky association has given Mr. Bryant a relish for them. If he introduces them against his own better taste, it must be with the sagacious view of keeping the reader awake, by throwing obstacles in his way, over which he may occasionally stumble.

Many may think this blemish in versification of too little importance for serious reprehension. Where it occurs seldom, and in poetry of a stirring and animated nature, such as *Paradise*

Lost, in which it is sometimes, although rarely, met with, it may be overlooked. But its excessive and affected use in poetry possessed of but few redeeming qualities, is a proper object of rebuke; and in despite of the sneers of Anacreon Moore, we maintain that Fadladeen was guilty of no hypercriticism when he censured the harsh and unmetrical practice in question. None of our really eminent poets indulge in it; for the few examples of it in *Paradise Lost*, are to be considered inadvertencies, which, with the other acknowledged blemishes in that great work, will always obtain indulgence, on account of the high order of the beauties with which they are surrounded.

Since the time that Wordsworth published his preface to the dull and drawling *Excursion*, a work which not one reader of English poetry in a hundred has had the patience to read through, his followers, who there found excellence in metrical numbers and poetical diction very erroneously undervalued, have availed themselves of the license his doctrine admitted, and his practice sanctioned, to write slovenly and rugged verses. Smooth poetry has been called effeminate, and harmonious numbers are said to be written for the ear and not the understanding of the reader. These reasoners forget that smoothness and harmony, in themselves sources of pleasure, and perhaps the only ones in which prose cannot pretend to rival poetry, do not imply the exclusion of any other excellence of composition; and that vigour of idea and fervour of expression are as compatible with them as with rude phraseology and negligent metre. Indeed, it is manifest, that, if measure be at all used in poetical writing, and the Lake Poets have never entirely discarded it, the more accurately it is used, the poetry must, in that respect at least, be the better. But the Lake Poets have amply tried the experiment of careless versification, and they have signally failed to render it popular. They now know that no editorial praise can attract the public suffrage towards their works. They feel it, they complain of it. They rail against the public for want of taste; forgetting that the taste of the public, whatever it may be, is the taste of mankind springing from the impulses of nature, to understand and gratify which is the true business of the poet who would gain a station among the illustrious masters of his art.

ART. VII.—*Mémoires de Madame La Duchesse d'Abrantès, ou Souvenirs Historiques sur Napoléon, la Révolution, le Directoire, le Consulat, l'Empire, et la Restauration.* A Paris, chez Ladvoat, Libraire de S. A. R. le Duc d'Orléans : 1831.

Memoirs of the Dutchess of Abrantès, or Historical Recollections of Napoleon, the Revolution, the Directory, the Consulate, the Empire, and the Restoration. Paris: Ladvoat, Bookseller to His Royal Highness the Duke of Orleans: 1831. Volumes III. & IV.

IN the last number of this Journal, we were induced to give an account of the first two volumes of the above work, in consequence of the gratification we had derived from perusing them; and as we have the same reason in a stronger degree for transferring to our pages as much of the continuation as has reached our hands, we shall proceed to do so without apology. Madame d'Abrantès has observed, with commendable scrupulousness, one, at least, and the best of those canons of criticism, for which the French are in general such sticklers—that of increasing the interest of her scenes as she advances. We have rarely spent any hours more pleasantly, than those which we devoted to the third and fourth volumes of her memoirs. They may not, indeed, be worthier of implicit credit, than those which preceded them were affirmed to be, and we must confess, that we should hesitate about asserting on oath in a court of law, that none of the facts recorded in them are the offspring of a teeming imagination, but they certainly do not come within the scope of the prohibition conveyed by the literary dogma: “tout genre est permis, hors le genre ennuyeux.”

Towards the conclusion of her second volume, Madame d'Abrantès touched upon the events of the 18th and 19th Brumaire, which opened for Napoleon the path to supreme power; and in the commencement of the third, she reverts to that epoch for the purpose of correcting several errors which have been propagated relative to it by Bourrienne and others. She flatly contradicts the assertion of the private secretary, that Bonaparte betrayed alarm when in the Hall of the Five Hundred at St. Cloud, on the 19th; she scouts the idea of the former having, as he says, “called the General to himself,” whilst stammering out some confused sentences before the Council of Ancients, “and observing to him that he was speaking without knowing what he said,” and affirms that he never would have dared to address such words to him at any moment. “To allow an opinion of the kind to subsist, would be to give a totally

ous idea of the character of Napoleon." She admits that the General manifested symptoms of hesitation when saluted, immediately on entering into the Hall of the Five Hundred, with vociferous cries of "Down with the Cromwell. No Dictator! Outlaw him!" &c., being taken completely by surprise, and thus prevented from finding at the instant the words with which he would have wished to oppose the clamour; but she explains his *short* silence and inaction to have been caused by his reflecting on the plan he should adopt in consequence of the unexpected hostility evinced towards him, and not by any feeling of fear. The latter motive is assigned, she continues, by mediocrity judging after itself; but from persons who were near Bonaparte at the time, and were capable of comprehending the workings of his soul, she derived the interpretation which she has placed upon his conduct. It is one, we cannot help thinking, much more consistent with the character of the man, than the story which would place him in a light so ridiculous and contemptible, as that in which he is made to appear by his affectionate *ci-devant* amanuensis.

The period of the Consulate, or at least the first portion of it, which alone is embraced by these volumes, is a favourite subject of eulogy with our author. She indulges in frequent ecstatic exclamations of "Quel temps! Quel temps!" after detailing the advantages accruing to France from the Consular Government, and the admirable deportment of its chief at the time. He was loved, adored, according to her, and had he known how to go on as he commenced, his was a destiny such as had never been accorded to mortal. "Quelle destinée il a brisé!" she again exclaims. She says that she feels a sentiment stronger than instinct, which tells her that if Bonaparte had encountered a reasonable resistance, a continual warning addressed to him by one of the bodies of the state instituted by himself, he would have moderated the impetuosity by which he allowed himself to be hurried away, when no barrier impeded his course.

After occupying three chapters with interesting allusions to the events of the epoch, and amusing anecdotes of various kinds, Madame d'Abrantès proceeds to the relation of her courtship and marriage, and to this momentous subject the greater part of the residue of the volume is devoted. We doubt much whether the most fertile imagination of the novelist could fill the same number of pages with similar matter of so entertaining a description; we are sure that he could not invest his creations with any thing like the interest which is imparted to the narrative of our author, by the characters of the individuals connected with it, in one way or another. The reason assigned by her for giving the minute account she does of the circumstance, is, that it renewed the intimacy between her family and the First Consul, which had been

broken by the quarrel which we mentioned in our article on her two first volumes; and because the incidents associated with it, refer more to him than to Junot and herself, inasmuch as they place him in a light altogether different from that produced by the rays of his political or military glory.—In returning from Egypt, Junot had been taken prisoner by an English vessel, and after a captivity of several months, he landed on his native soil, at Marseilles, on the very day of the battle of Marengo. We may observe here, *en passant*, that the glory of that famous action is attributed unreservedly by our author, on the authority of ocular witnesses, to General Kellermann, who turned the fortune of the day, when on the very point of being decided against the French, by his admirable charge with the few cavalry under his command, which Bonaparte, influenced by an unworthy feeling, called “*assez bonne*;” and she intimates that the Emperor would have acted but justly, if, in accordance with his practice of conferring titles on his followers, which recalled the memory of their most brilliant deeds, he had created Kellermann Duke of Marengo. Certainly, if the importance and brilliancy of a feat ever merited a recompense of the kind, it was this, than which none performed by any of Bonaparte’s generals was more glorious for the achiever himself, or operated with more beneficial power upon the fortunes of the chief; perhaps, indeed, the benefit was too great to be acknowledged. The man of destiny was not desirous of owing too much to others, and whilst no master was ever more lavish of gratitude and reward to merit within a certain degree, when it exceeded the limit beyond which he deemed it incompatible with his own glory or interests, he preferred feeling, as he must have done in this instance, the truth of the remark, that

“Benefits too great
To be repaid, sit heavy on the soul
As unrequited wrongs,”

to emblazoning it by the sunshine of his favour.

In the first interview which Junot had with Napoleon after his arrival at Paris, the latter appointed him governor of the metropolis, enjoining him at the same time to marry. Accordingly, he began a serious search for a wife, and having heard from several sources of the attractive qualities of *Mademoiselle de Permon*, he renewed an acquaintance with her family which he had made when aid-de-camp of Bonaparte, previous to the Egyptian expedition. We translate the account of his first visit.

“One evening, the 21st of September, there were about a dozen persons in the drawing-room of my mother; some were chatting, others were amusing themselves with charades and laughing, when suddenly the door was opened, and the servant announced General Junot. Immediately, as if by magic, a complete silence ensued, by which the general was a little embarrassed, but he was soon relieved by the reception given him by my mother. She took him!

hand, reproached him gently for delaying so long to visit her, caused him to sit at her side, and paid him every attention. The fact is, that he could not have chosen a worse moment for his visit; there was no person present of his acquaintance. Every one there belonged to the Faubourg St. Germain, and it may be imagined what pleasure a general of the republic could experience in the midst of a circle of emigrants, who had returned within the last six months. I afterwards discovered that he expected to meet Madame Hamelin and others, whom he knew; but he had made a mistake in the day. My mother, who understood how to act the mistress of the house to perfection, perceived that the general might find his position awkward or disagreeable, and she therefore soon contrived to place him as much at his ease as if he had been one of our constant guests.

The distinctive character of Junot's mind, was great acuteness and rapidity of perception. He saw that there would be little propriety in speaking of the First Consul, though he was determined not to allow a word in his disparagement; but neither would my mother have suffered any thing of the kind, notwithstanding her want of all fondness for him at that period. Junot talked of Egypt, of what he had observed there as foreign to our customs, and talked as those who knew him are well aware he could talk. Albert, my brother, who had been at a small concert at the house of Madame Leclerc, entered, after a while, and by his presence removed every shadow of uneasiness from Junot's situation, so as to embolden him to propose to my mother to go the next day to witness the procession that was to move across the Quai Voltaire. The object of it was well worth the trouble: it was the translation of the remains of Turenne from the 'Musée des Augustins' to the Hotel des Invalides. My mother objected the injunctions of her physician; but as she was then really better, and her carriage was provided with cushions, she eventually decided upon accepting the place which General Junot offered her at the Hotel de Salm. As he directed the ceremony in his quality of commander of Paris, he was well pleased that we should behold him in his glory, and I believe this was the real motive of his earnestness. 'Well!' said my mother, 'I will go and see our two heroes pass—the living and the dead—but the living one must promise to come and dine with me after 'Monsieur le Maréchal' is installed in his new abode, or else I will not go.' Junot gave the required promise and departed, leaving behind him a favourable opinion, which certainly those whose society he had just relinquished, with the exception of my mother and brother, were by no means disposed to entertain."

"What female heart can gold despise?" asks a poet; and Junot seems to have thought, justly enough, that it was then least of all despicable in their eyes when shining upon epaulettes, and the other accoutrements of an officer. This manœuvre of the General evinced considerable dexterity in the art of laying siege to those fortresses which are enclosed in ladies' bosoms, and entitles him to as much renown in the annals of matrimonial campaigning, as he acquired in the tented field. It produced its full effect. The old lady,—we beg her pardon—Madame de Permon, was delighted by the minute arrangements which had been made for her comfort at the hotel where they went to behold the procession, whilst her romantic daughter experienced the strongest emotions at witnessing the spectacle of an escort of mutilated veterans, surrounding and protecting the bier of a hero, and having at their head a chief whose young and flaxen head, covered with scars, was already old in glory. The gratification of both the fair ones was wonderfully augmented when Junot passed before them, and distinguished them by a marked salute, by which they

were rendered objects of the curious and deferential observation of the neighbouring spectators. He followed up his first successes with persevering courage, and for a period never failed to make his appearance in the evening in the drawing-room of Madame de Permon, until our author was accused at a party of being engaged to him, by one of her young companions. She was astonished, she says, for he had scarcely ever addressed a word to her, having devoted himself almost entirely to Madame, in all his visits; and as at that very moment he was sitting by the side of the latter, talking and laughing joyously, the young lady, on receiving the denial of Mademoiselle Laurette, exclaimed that her informant must have made a mistake, by substituting the daughter for the mother. The next morning our author mentioned to her parent the report that was circulating, at which the good lady was at first exceeding wroth. "Society has become a hell!" she cried, "because a young man comes ten times to one house, there must forsooth be a marriage in contemplation. And if General Junot marries Mademoiselle Leclerc, as I believe he will and should, it will be said that his engagement with my daughter has been broken." Her anger was, however, dissipated, after Laurette had left the room, by her son Albert intimating to her his conviction that Junot was really in love with his sister. Whilst they were conversing on the subject, a carriage stopped at the door of the house.

"My mother, who was still in bed, (it was scarcely twelve o'clock) was about to ring the bell to order admission to be refused, when my brother cried out; 'It is Junot!'—'Junot,' said my mother, 'good Heaven! what can he come after at this hour? Yes, yes, let him enter,' she said to the maid who asked her orders. The General was scarcely in the room before he requested her to allow the door to be locked, and sitting down by her bed-side, he took her hand, and said that he had come to make a request: 'and,' he added, smiling, 'you must grant it!'—'If it be possible, it is done,' answered my mother laughingly; 'if it be impossible, it shall be done.'" "That depends upon you and him," rejoined the General, pointing to Albert. He stopped a moment, and then said in the manner of one who is struggling with violent embarrassment: 'I come to ask the hand of your daughter. Will you give it to me? I give you my word, and it is that of a man of honour, to render her happy. I can offer her a lot worthy of herself and her family. Come, Madame de Permon, answer me with the same frankness as I ask; yes or no.'

"My dear General," said my mother, 'I will use the frankness you desire, for it is, as you know, in my nature; and I will tell you that a few minutes before your arrival, I was saying to Albert that you were the man whom I most desired to call my son-in-law.' 'Really!' cried Junot, his eyes sparkling with joy. 'Yes, but that is of no importance with regard to your request. First, you must be informed that my daughter is destitute of fortune; the dowry she will have, is very slender for such a position as yours. Moreover, I am very unwell, and I am not sure that my daughter would leave me at the present moment; she is, also, still very young. Reflect upon what I say to you, and add to it, that my daughter has been brought up in the midst of a circle and of habits which may perhaps

* This was the gallant reply of M. Beaujou, to a request of the Queen of France.

be disagreeable to you; reflect at least for eight or ten days more, and then we will talk again about your projects.'

" 'I will not wait twenty-four hours,' cried Junot, with firmness. 'Listen, Madame de Permon; I have not taken the step on which I have just ventured, without having well made up my mind as to what I have to do. Will you give me your daughter? Will you give me your sister, Permon,' addressing himself to my brother. 'I love her, and I swear again to render her as happy as a wife can be.' Albert stretched out his hand to the General, and said in an agitated voice: 'my dear Junot, I give you my sister with joy, with felicity. And believe me, the day when I can call you my brother, will be one of the most delightful of my life.'—'And I,' said my mother, extending her arms towards him, 'I wish also to tell you, that I am a thousand times happy to call you my son. Come and embrace me, my child.'

"Junot threw himself into her arms, bursting at the same time into tears."

After this pathetic scene, Junot having wiped his eyes, insisted upon putting the question himself to the young lady, to the great horror of Madame de Permon, who affirmed that such a thing had never been heard of. A compromise, however, was eventually effected, by Junot's agreeing to offer himself in the presence of the mother and brother. Our author, accordingly, was called from a lesson that she was taking in her study-room; but she must tell her own story.

"It is impossible for me to give an idea of my feelings, when, on opening the door of my mother's chamber, I perceived General Junot seated by her bed, holding one of her hands, and talking gaily. My brother was standing in a leaning posture against the foot of the bed: all three were laughing. As soon as I appeared, a profound silence took place. Junot rose, offered me his chair, seated himself near me, and having looked at my mother, said to me in the most serious tone: 'Mademoiselle, I am so fortunate as to have obtained the consent of your mother and brother, to the request which I have made for your hand. But I must tell you that this consent will be a perfect nullity, if, at this moment, you do not declare here, before me, that you also give your assent to my request. My present proceeding is, perhaps, not very proper, I know; but you will pardon me when you reflect that I am a soldier frank even to roughness, and desirous of finding in the most important act of my life, what I must bring to it myself. Perhaps,' he continued, with a little more embarrassment, 'you might be influenced by the fear'

" 'Laurette knows well,' said my mother, 'that I am'—

" 'Permit me, Madame de Permon,' interrupted Junot in his turn, with firmness; 'permit me to finish what I have to say to your daughter. Will you tell me,' he said, turning to me, 'if you are willing to marry me? and above all, reflect well before answering, if you will do it without any repugnance?'

"From the time that I seated myself in the chair which General Junot had given me, I seemed to be in one of those extraordinary dreams which fatigue the mind by causing it to toil after the explanation of some improbability. I heard perfectly, I understood, but nothing was in keeping with my position, and nevertheless I was obliged to pronounce a word, on which depended the fate of my entire existence!

"The most complete silence reigned in the apartment. It was not the part either of my mother or my brother to make me speak, and the general could but wait for my answer. At the end, however, of about ten minutes, Junot seeing that my eyes remained still cast down, and that I said nothing, thought that my silence was to be interpreted as a refusal, and always impetuous, still more so perhaps in his feelings than in his will, he wished to know his fate at once.—'I see,' he said in an accent of bitterness, 'that Madame de Permon was right

when she told me her consent was nothing in this matter. Only, mademoiselle, tell me, *yes or no.*'

"My brother, who observed the visible change in Junot, leaned towards me, and whispered in my ear: 'Courage, my dear girl. Speak the truth; he will not be offended at it even if it be contrary to his inclinations.'

"Come, come, my child! you must answer General Junot," said my mother. 'If you do not wish to speak to him, give me your answer, and I will communicate it.'

"I was fully sensible that my behaviour would become ridiculous, and that, in fact, I ought to speak. But all the power in the world could not have made me articulate a word, nor raise my eyes from the carpet on which they were fixed. From the moment of my entrance into the room, my emotion was so violent, that my heart beat as if it would burst my corsets. At that instant, the blood mounted to my head with such rapidity, that I only heard a sharp whistling in my ears, and could see nothing about me but a moving rainbow. I experienced a lively sensation of grief, and clasping my hand to my brow, I rose and made my escape with such quickness, that my brother had not time to restrain me. He ran after me, but could not find me. The fact is, that impelled by an invincible force, I had ascended in two seconds to the very top of the house, and had only stopped and recollected myself when in the cock-loft. I was returning down the stairs when I met Albert in my pursuit. He scolded me for being so foolish, whilst I began to cry, and reproach him bitterly for what had just occurred. He acknowledged that he felt I must have suffered greatly in the situation in which I had been placed; but he said, that loving me as I knew he loved me, I ought to have been sure that there were positive reasons why matters had been so conducted. He kissed me, made me go into his room, and endeavoured to calm my agitation. He could not, however, prevail on me to return immediately to my mother, as I was determined not to go back to her room until General Junot had departed.

"When my brother re-appeared in my mother's chamber, he found the General greatly agitated, and turning a deaf ear to all that she was saying. As soon as he perceived Albert, he advanced towards him, and cast upon him an inquiring look. 'My dear general,' said my brother, 'I was for a moment of your opinion, and approved of my sister's being called; but we did not sufficiently reflect upon the importance of such an action. We have behaved like children, and she, young as she is, has just convinced me of it.'

"Where is she, poor Loulou?" asked my mother. 'I told you so, my dear Junot; such a step was absurd—Where is she?' she repeated.

"In my room," said Albert, 'where I have promised her that she should be safe.'

"And my answer?" said Junot with a gloomy air.

"Your answer, my friend, is as favourable as you could desire. My sister will be *proud* to bear your name. These are her own words. As to another sentiment, you cannot ask her for it, as yet, without undervaluing her.' 'I am content, I am content,' cried Junot embracing my brother; 'so then she told you that she would be *proud* to bear my name? And how did she tell it to you?' 'Why,' replied Albert, laughing, 'in a very natural manner; only her voice was altered by her sobs, for she was crying.' Junot stamped his foot upon the floor with a violence that made my mother spring up in her bed. 'Inferentially foolish head,' he exclaimed, 'that only causes me to be guilty of folly when I wish to act well. Here I have made your sister cry, when God knows, nothing was farther from my intention.'

Verily, the worthy General's own opinion of his head strikes our humble apprehension as nearer the truth, than the one which his affectionate widow would persuade her readers to hold respecting it; and if any thing be calculated to justify our remark, and satisfy every body whom it may concern of his clumsiness and total want of common tact, in spite of the brilliant colours

in which our author has dipped her pencil in drawing his intellectual portrait, it is this unique declaration, as related by herself. We think it abundantly warrants the application to him of the lines which she quoted in her first volume in reference to another individual:—

“Jamais un lourdaud, quoiqu’il fasse
Ne saurait passer pour galant.”

She completely counteracts her own design to create an elevated idea of her husband’s intellect, by bringing him upon the stage as an actor. Whenever an attempt is made to raise the character of a person above its real level, care must be taken not to let him speak and act for himself; if he do, the lion’s hide will not conceal the nature of the animal over whose shoulders it is thrown. We are consequently very much afraid that all the lady’s efforts will avail not to rescue the reputation of her departed lord from the prevalent belief, which must transmit his name to posterity as that of a brave soldier and a faithful follower, but of a rough, unlettered, and uninspired man.

This ridiculous declaration was not the only *étourderie* of which he was guilty in the affair of his engagement. To the great dismay of Madame de Permon, when she asked him how “he had gained the finest of his victories,” that is to say, how he had extorted the first Consul’s consent to his marriage with her daughter, he answered that Bonaparte knew nothing about it whatever. This was too much for the patience of the good lady, who was not remarkable for any excessive share of that virtue. “He does not know it,” she cried, “he does not know it!—And you have come here to seek my daughter’s hand? Permit me to observe to you, my dear General, that your conduct is very foolish.” Junot became somewhat nettled, and talked about his willingness to give up all his prospects from the friendship of the First Consul, rather than allow him to dictate the most important act of his life. Madame, however, thought that General Junot, the favourite of Bonaparte, was a much more desirable son-in-law than merely the excellent General himself, and with lofty disinterestedness, declared that both she and her daughter were incapable of suffering him to make so great a sacrifice on their account as he proposed. Junot, delighted with the elevation of character that would refuse to take advantage of his magnanimity, even for so enviable a prize as himself, seized his hat and hastened to the Tuileries. Having gained admission into Bonaparte’s private study, he disclosed to him his intended nuptials with Mademoiselle Laurette. The first Consul manifested the expected astonishment and repugnance at this annunciation, but ultimately gave his full consent, and promised to bestow a dowry of a hundred thousand francs, besides forty thousand for the *Corbeille*.

"Adieu, my friend, be happy," he said, pressing Junot's hand, "but oh!" he continued with a smile, "you will have a terrible mother-in-law!"

It was determined that the day for the marriage should be the 30th of the same month, October, notwithstanding the disinclination which was manifested by poor Loulou for so early a period. One reason for the propriety of this arrangement, which was given to her by an old friend of her family, M. de Caulaincourt, deserves to be recorded.—"Rien n'est moins convenable, selon moi, que ces jeunes fiancées qui se promènent tout un hiver de fêtes en fêtes; ce sont des moitiés de demoiselles, des moitiés de dames; tout cela va mal."

The nuptial hour was almost at hand, and every thing seemed to promise that the matter would be terminated in a way to belie the assertion respecting the course of true love, when a difficulty arose, which for a moment threatened consequences of a serious aspect. It related to the performance of the ceremony in a church, on which the whole Permon family resolutely insisted, whilst Junot as resolutely objected to it, not wishing to *degrade* the dignity of a General of the French Republic, one and indivisible. This shoal, however, was happily avoided, by an arrangement that the knot should be tied at the altar at night, so that the scruples of the lady might be respected, and the degradation of the gentleman be incurred before as few witnesses as possible. They were accordingly made a *unit*, to use a popular phrase, in pursuance of this concordat, and Mademoiselle Laurette de Permon ceased to exist as such. The long and elaborate description which she gives of her wedding-dresses and wedding-presents, we must pass over, not feeling the full force of the reason which she assigns for devoting so much space to them—that posterity will be anxious to know how "*corbeilles*" and "*trousseaux*" were made in the year of our Lord 1801; nor ever having experienced the regret she expresses, at not finding in the history of Philippe de Commines the manner in which they were made in the time of Louis XI. or of Philip the Good.

The day after the wedding, Junot gave a large dinner party to his most intimate friends, including Lannes, Duroc, Bessières, Eugène Beauharnois, Rapp, Berthier, La Valette, and others. Of each of those whom we have named, Madame d'Abrantès takes the occasion to give a brief notice, and we cannot do better than translate her sketches.

"General Lannes, at that period, was twenty-eight years old, five feet five or six inches high, slender, even elegant in his person, and with a foot, leg, and hand, of remarkable beauty. His countenance, though not handsome, was expressive; and when his voice uttered one of those military thoughts which were the parents of the feats by which he earned the title of the Roland of the army, then, Junot was wont to say to me, 'his eyes, which seem so small, become immense, and dart flashes of lightning.' Junot also often told me that he re-

garded Lannes as the bravest man of the army, without exception, because his equable courage was never increased or any way changed by those circumstances which exercise an influence upon almost every soldier. The same coolness which he would evince in regaining his tent, he possessed in facing the enemy's fire, in the midst of the combat, and in circumstances of the utmost difficulty. To these advantages, inestimable especially in a superior officer, were to be added, according to Junot, those of a rapidity of glance and perception, and a correctness of appreciation, which he had never found in any one else, except the First Consul. By the same authority, Lannes was pronounced to be the one who combined the most of the qualities requisite for the perfect warrior. He was distinguished, moreover, for his good nature, his fidelity in friendship, a real love of country, and a heart truly French, but of the beautiful days of the republic; and with regard to the days of the *beautiful* republic, his recollections were stained with no blood save that of the enemy.*

Duroc was at that epoch a year younger, I believe, than Junot. He had a good person, was of about the same height as Lannes, slender like him, but with something more distinguished in his manners. His appearance might please, but I did not think it agreeable, and yet the friendship which I entertained for him, ought now to embellish the shade which I evoke. Duroc's eyes were sufficiently large, but too much on a level with his forehead to allow his look to be ever in harmony with his smile or any other expression; which gave occasion to those who did not like him, to say that he was not frank. But I, whose dearest friend he was, I who can boast of having known his whole soul better perhaps than any one, I can certify as to the excellence, the perfection of his character. Duroc possessed remarkable talents. Bonaparte, who knew how to judge men, in distinguishing him from his companions, and sending him to execute his orders in foreign courts, at an epoch when it was not simply necessary to say, 'the Emperor, my master, orders you to speak or to be silent,' understood well what Duroc was capable of doing. I have a letter of his in my possession, dated St. Petersburg, in which he tells me of the too flattering opinion which was entertained of him at the Russian Court. Well! when the Emperor Alexander came to see me, twelve years afterwards, he spoke to me a great deal about the persons of the court of Napoleon, whom the latter had sent to him, and his opinion of Duroc in 1814, was the same as that which he held in 1802. As to Duroc's appearance, I have already nearly sketched it. His hair was as black as his eyes, the defect of which was common to his nose, his cheeks, and his chin. They were all so much rounded, as to take away every thing determined from his features, and even to spread a species of indecision over his physiognomy. His person was above the middle size, slender, elegant, and of a noble air.

Bessières was at that period one of Junot's most intimate friends. His age was about the same as that of all his comrades. He was taller than Lannes; like him he was from the south, and like him also, his accent left no doubt of the fact. He had fine teeth, eyes which squinted a little without producing a disagreeable effect, and a figure which was rather good than otherwise; but like General Lannes, he had a mania for powder. The difference which was perceptible in his coiffure, arose from the manner in which his hair was cut. It hung on each side in the form of little dog's ears, and a long and meagre queue, *à la prussienne*, was substituted by him for the *cadogan* of Lannes. He was then Colonel of the Guides, that is to say, of the mounted Chasseurs of the Conspicuous Guard, conjointly with Eugène Beauharnois. They lodged together, and report

* One remarkable thing in Lannes was his obstinacy in retaining his queue. It was in vain that the First Consul asked, almost begged; he would never dispense with this part of his toilette. He always continued to wear a thick and short queue, well powdered and pomatumed. His mania was near embroiling him with Junot, notwithstanding their friendship, when the latter caused the hair of the famous division of Arras to be cut, and in consequence, that of the whole army.

asserted that they were both very fond of all the pleasures which fortune and youth can procure.

"*Eugène Beauharnois* was still quite a boy, but already, at this epoch, he promised to be what he became later, a charming and amiable young man, with the exception of his teeth, which were as frightful as those of his mother. His person presented an ensemble of elegance the more attractive, that it was joined with what rarely is found with it—perfect frankness and gaiety. He was as merry as a child; but his hilarity was never provoked by any thing repugnant to good taste. He was amiable, affable, extremely polite, without being obsequious; and fond of raillery without impertinence. He was an excellent actor, sang admirably, danced as well as his father, who had acquired a surname from his dexterity, and in short, was a very agreeable youth. He made a complete conquest of my mother, with whom, I believe, he was anxious to ingratiate himself; and in that he succeeded perfectly.

"*Rapp* was at that period, what he was twenty years afterwards, save some additional wounds, and an enormous paunch. It was all in vain that he passed through the sieves and crucibles of French and foreign courts; he was always an excellent man with a good heart, and an exterior not rough but badly worked, and the most clumsy, awkward being, that Providence ever placed upon earth to play the part of a man. But he was ever loved and esteemed, because, in fact, he deserved to be so. If, amid courts, he never lost the rude and coarse envelope in which he was wrapped, he also preserved pure and incorrupt a fine soul and a good heart.

"Of the friends of Junot, *Berthier* was the one whom I most desired to know. I had often seen him at Madame Visconti's, but in a fugitive manner, if I may so speak; and at that epoch his name was connected in such a way with Bonaparte's, that in pronouncing it, one seemed to recall Parmenio at least. He has left behind him so great a number of portraits, many of which are correct likenesses, that it is useless to speak of his appearance. I may, however, observe, for the information of the curious, that he was small and badly made, though not deformed. He had a head a little too large for his body, hair rather frizzled than curly, and of a colour which was neither black nor fair; eyes, a nose, a forehead, a chin, all in their place, but composing a whole that was certainly not beautiful; hands that were naturally ugly, and which he rendered frightful by continually biting his nails to such a degree as to have his fingers almost always bleeding; and feet in keeping, except that he did not eat their nails. Add to this, that he stuttered a great deal in speaking, and made, not grimaces, but movements of so singular a nature by their vivacity, that he was a source of vast amusement to those who took no direct interest in his dignity. Thus much for his person. As to himself, that is to say, as to his heart, his soul, and that important part of our system called the *understanding*, I will speak on some other occasion of the judgment which I formed of them myself. In the meanwhile, I should remark, that he was an excellent man, though of a feebleness of character which counteracted a thousand fine qualities, which had been lavished upon him by nature. But that *Berthier* deserves what various biographers have said of him, I deny. He not only loved Napoleon, but he was strongly attached to many of his brothers in arms. He braved even the humour of the Emperor, in order to speak to him about those of his friends who had committed faults. I shall have much to say on that head, and much to prove. *Berthier* was a good man in the fullest acceptance of the term.

"Junot had requested my mother to include M. de Lavalette among the guests. I do not know exactly what he was then; I do not even recollect if he was still the aid-de-camp of the First Consul. He already had that burlesque appearance which we have ever known him to possess. Formed after the model of Bacchus, with diminutive legs supporting a promising paunch, he had, moreover, a comical appearance, on account of his little eyes, his nose scarcely larger than a pea, located between two plump cheeks, and hair of which each individual one could be counted.

"I must now say what there was in this person which, notwithstanding his lu-

dicious figure, prevented the bounds from ever being passed, which he himself was willing to prescribe.

"M. de Lavalette was a man of talent in the literal meaning of the phrase. He related agreeably a multitude of anecdotes, with which he was abundantly furnished by a retentive memory. He had seen a great deal, retained a great deal, and joined to his natural and highly cultivated intellect a sufficiently rare gift, accorded by nature only to her favourites: I mean great delicacy of sentiment, with brilliancy and piquancy in his ideas and elocution. Without doubt, M. de Lavalette was not a superior man; at least such is my opinion. I confess I am a little chary of bestowing that appellation. M. de Lavalette was a man of talent, but that is all. The horrible and infamous persecution of which he was the object, obliged him to save himself from the torrent, in order not to be swallowed up, on an eminence, to the top of which he himself would never have thought of ascending, if he had remained calm and tranquil in his house. He had sterling qualities; he was a good father, a good husband, and a faithful friend. He even carried the latter quality too far, as I could show.—With his marriage, there were circumstances connected of a sufficiently singular complexion. He espoused, a few days before his departure for Egypt, Mademoiselle Emilie de Beauharnois, daughter of the Marquis de Beauharnois, brother-in-law of Madame Bonaparte. This young lady was not in a very marriageable position, on account of the situation of her parents. They had been divorced, the father to marry a German Canoness, the mother to marry a negro; from which it resulted, that it was as easy matter to provide for the poor young lady, who, moreover, was entirely destitute of fortune. Nevertheless, she was of ravishing beauty, sweet, amiable, and perfectly brought up, thanks to the care of her aunt. At length M. de Lavalette fell in love with her, which was altogether in order; but, what was not so much so, she warmly reciprocated his attachment. They were married, and the husband set out for Egypt, leaving behind the most charming of wives. Amidst all the matrimonial quarrels of her two fathers, and her two mothers, as precautions had been taken for the safety of the poor deserted child, and then, although eighteen years of age, she had never been inoculated, and as the small pox delights in attacking a beautiful countenance, the army was not in sight of Malta, before Madame de Lavalette had exchanged her face for another.

"She was in despair, and at first wished to die. She thought herself hideous, and in fact she was very much altered. But at length the pimples disappeared, the marks became less visible, and she grew habituated to the change. It was not indeed so great as to warrant her grief, and many women would have been very well content with the remains of her beauty. She still had a dazzling complexion, fine teeth, a soft expression, and fine appearance; in short, every thing considered, she was still a beautiful woman, though not the one whom M. de Lavalette had married. She sent him her portrait, but I think it was taken by the English. Whatever may have been the impression which he must have received at not finding the same person whom he had left, I do not believe that his delicacy ever allowed his wife cause for doubting the continuance of his affection. I have reasons, however, for thinking that she supposed it had been shaken. The sweetness of her disposition prevented her from letting him perceive her suspicions; but her continual tears, her profound melancholy, her strongly expressed disgust for life, gave a great many unhappy moments to the good and excellent Lavalette, who would have secured the happiness of his wife at the price of his blood. I have details in my possession on this subject, which induce me to regard the celebrated action of Madame Lavalette as truly admirable. This is what prompts my admiration of it, and not what is foolishly called her devotion. The sense of duty which was there answered for her; but with a persuasion such as she felt, there must have been in her heart great generosity and nobleness."

Not long subsequently to the dinner, arrangements were commenced for a wedding-ball. Junot, after making a list of the ladies to be invited, under the dictation of Madame de Permon, sat with pen in hand waiting for her to indicate the names of the

gentlemen. "The First Consul of the French Republic, one and indivisible; is not that the way you call him?" she said. "The First Consul!" they all exclaimed in surprise, not expecting that she would make the primary advances towards a reconciliation. They were all delighted, however, especially Junot, who begged her "to mention the hour which suited her best." "Give me your orders," he said, "and I will be ready to go with you." "Whither?" asked the lady, regarding the other with a ludicrous look of astonishment.—"Whither!" he answered, with equal surprise, "why to the Tuileries to present yourself your invitations to the First Consul and Madame Bonaparte." We must give the rejoinder in the original; its spirit would evaporate in a transfusion; "*Mon cher Junot, dit ma mère avec un sérieux et un sang-froid admirables, vous êtes tout à fait, mais tout à fait, complètement fou.*" The General, of course, was somewhat astounded at this flattering apostrophe, but when he averred that he had said nothing to warrant it, she repeated the compliment, asking him how he could expect her to go herself to solicit Bonaparte to appear again at her house, after having forbid him its entrance. She then said she would do nothing more than write him a note of invitation, which he might refuse if he chose, whilst he would hardly be so rude as to say "No" to her face. From this step Junot did all he could to dissuade her, asserting that Bonaparte would suppose that an affront was intended. "An affront!" she said, "not at all; he will not think of such a thing, and you will see that after having received an invitation, he will act like all well-bred men; he will come to see me once before the ball, or at least leave a card at the door."—"What!" cried Junot, with an air of perfect amazement, "do you imagine he has visiting cards?" "Why not!" she replied, "what, my dear child, because Bonaparte gains battles, would you have him not pay visits?"

Here our author and her brother, who had been endeavouring to stifle their laughter during this interesting colloquy, could contain themselves no longer. Their merriment was increased by the stupefied air of Junot, who, at this question, began to stare at Madame de Permon with his mouth half open, without the power of answering. But Junot, for his part, deemed it no joke; and in their eyes also the matter assumed a serious aspect, when they found their mother resolved upon acting as she had intimated. They were aware that the note would serve no other purpose than to make "*papillotes*" for Madame Bonaparte; but knowing the futility of contravening the notions of their parent, they made signs to Junot to abandon the contest. He did so, and the note was written, and given to our author to send. The three children, however, as we call them for the sake of contradistinction, determined among themselves to take the affair into their own hands.

Accordingly, instead of despatching the note, they went secretly to the Tuileries, and in their mother's name proffered their request to Josephine, whom they found alone. They next obtained admission to the apartment of Bonaparte, who saluted them on their entrance by jocularly exclaiming "oh! oh! what means this family deputation? Madame de Permon is the only one wanting; is it the Tuileries she is afraid of, or me?" Junot hastened to account for her absence, by what in common parlance is termed a white lie, and then his wife solicited the favour which they sought, encouraged by the good humoured smile of the future master of the world. With regard to his smile, by the way, Madame d'Abrantès says, that when it was caused by a pleasing thought, the charm of his physiognomy beggared description. "There was then soul upon his lips and in his eyes; it is well known what the magic power of this expression was at a later period. The Emperor of Russia had fully experienced it when he said to me, 'I have never loved any thing more than that man.'"

The embassy was successful, and the three returned chuckling at their stratagem. At about eleven o'clock, when the rooms of Madame de Permon were filled with her company, the noise of the escort and the carriage of the First Consul was heard, and soon afterwards he made his appearance at the door of the first apartment. She immediately advanced towards him, and made him one of her most ceremonious salutations. He smiled, and stretching out his hand, asked her if that was the way in which she received an old friend. She placed her's within the proffered palm, and the two entered in that way into the ball-room, where the heat was excessive. Nevertheless, says our author, he continued to wear his grey overcoat during the whole time of his stay. He did not, however, remain long in the ball-room, having been displeased at perceiving that some of the ladies there had not risen on his entrance, but passed into the bed-room, where he entered into a conversation with Talleyrand, which lasted until interrupted by an incident amusing enough. Madame Junot had, previously to the ball, engaged to dance the "*menuet de la cour*" with M. de Trénis, a second "*dieu de la danse*," but when the time for it came, the gentleman, who was every thing that was "*incroyablement merveilleux*," had not arrived, so that she was obliged to get another partner. Just, however, as the substitute was leading her to a seat, after the termination of the minuet, they encountered the exquisite, who looked unutterable things. She began to apologize, but told him that the fault was on his side.

"Without doubt," he replied, seating himself between me and one of my friends, 'I have enough of philosophy to console myself for not having danced the *epithalamium* of Madame Junot, and yet there were laurels to be gained in the performance of that minuet—I would have danced it in a style grave, uni-

ous, but not sad. Yes, that would have pleased me—but to have seen what I have seen—oh ! never shall I forget that spectacle."

"I knew what an extraordinary being it was, but I had never heard him ramble for so long a time. 'You make me uneasy,' I said, 'what have I done?'"

"How, Madame ! you who dance in such a manner that we are all anxious to engage you—you who have practised the minuet with Gardel !—who have thus given him a baptism of grace and firmness in the salute, you to go—oh ! it is not to be named—you to go and dance this minuet with a man—a good dancer, to be sure : yes, he dances well, although—But if he dances quadrilles well, Madam, he never in his life knew how to make the great salute of the hat, (*la grande révérence du chapeau.*)"

"Mademoiselle de Mérigny and myself could not restrain our laughter. But M. de Trénis was upon too interesting a subject to understand the cause of our merriment. 'Ha !' he said 'that seems to you astonishing, and well it may be. Not to know how to place his hat ! for this is the science of it—it is not difficult to explain. Oh ! as to that matter, every dancing-master will explain the theory of placing the hat ; but that dignity, that firmness which should regulate the movement of the arm. Permit me,' and here he takes us both by the hand, and carries us into my mother's room, where at the moment there were very few persons. There he places himself before a glass, begins to sing in an under voice the air of the salute of the minuet, and proceeds to make his bow with the most perfect gravity ; he then places his three cornered hat with all the ceremony which such an action demanded. We were again seized with a fit of laughter. Armand de Rastignac, another original, but much more *spirituel* than M. de Trénis, attracted by our mirth and the gesticulations of the other, came up to us, and on hearing the explanation of M. de Trénis, expressed the greatest delight with it ; 'for,' said he, 'the remarks of the gentleman are the only reasonable ones which I have ever heard made on the important article of the salute of the minuet.' At this moment Junot came up, and wishing to understand the cause of our merriment, asked M. de Trénis if my dancing was not to his liking.

"General, I have already had the honour of saying that the dancing of Madame Junot especially pleases me. It is finished—there, General, I cannot better define the dancing of Madame Junot, than by saying that she assembles the quadrille—You understand ?—to assemble the quadrille.' And with his hands hooked, he imitated the dancing of some one, in the way in which Despreaux used to make the little pasteboard legs of Mademoiselle de Chevigny go.

"Whilst he was speaking, Bonaparte, who had hitherto continued to converse with M. de Talleyrand, without paying attention to us, came up behind him so near as almost to touch him. M. de Trénis was an original whom he did not comprehend, and it was easy to see that this personage caused him no little astonishment. He made a sign to Junot to get him to talk, which it was not difficult to do, by speaking to him about dancing, but in a serious manner. He had nothing of the gaiety of the ball. He never laughed, he said, unless the air of the quadrille was very gay ; and then he would tell you, 'the orchestra compels me to smile,' as if he were saying, 'I have been obliged to pay a forfeit.' And how do you stand with M. Laffitte, Sir ?" asked Junot with all the gravity which he observed in de Trénis. 'Why,' replied he, 'as well as two men of talent, like us, can be together, with so marked a parity. Nevertheless, he is a good fellow, not envious of my success. It is true, his ought to render him indulgent. His dancing is lively and strong. He has the advantage over me in the eight first measures of the gavotte of Panurge. Oh ! as to that, there is no ground even for discussion. 'Mais aussi les jetés, (we give the original, humbly confessing that our knowledge of English does not extend far enough to enable us to translate this sentence so as to preserve its spirit)—hein. Oh ! là, par exemple, je le foudroie. En général, ajouta-t-il avec un sérieux impayable, il m'écrase dans le jarret, mais je l'étouffe dans la moelle.'

"The First Consul opened his eyes and his ears, which were altogether unaccustomed to such elocution. 'It is prodigious !' he said to me in a low tone, 'this man is more deranged than many of the inmates of mad-house'

of your friends?" "Of our friends, in the strict acceptation of the term, he is not; he is one of our intimate acquaintances: that is to say, we see him twice a week. But, except at a ball, he never speaks of dancing; he talks even very ably about the manners of ancient Greece, which he has studied thoroughly. He speaks several languages, and he is worth much more, according to Albert, than his reputation." Bonaparte never listened to a long speech. I had afterwards occasion to be convinced of it, though not at my own expense; I discovered that it would not do to make long phrases in talking to him, still less long periods. He had returned to his favourite place next to Talleyrand before I finished, and I saw by the direction of his look that they were engaged with the subject of M. de Trénis."

This scene of Bonaparte gazing in wonder at the animal called the dandy, might furnish an effective theme for a caricaturist's pencil, if broad contrast be productive of effect.

Another colloquy occurred at this ball, soon after the one we have just extracted, between Madame de Permon and Bonaparte, which does not chime very harmoniously with the assertion of our author, in a previous volume, that all the rancour consequent upon the quarrel already referred to, remained with the latter. Bonaparte evinced a desire to conciliate entirely the good lady, and gently reproached her for her want of cordiality, whilst she contrived to allude to the incident which had caused the rupture, and manifested any thing but a forgiving spirit. "When he retired, he promised to come again to see my mother, but she had preserved a sharpness of manner in the conversation they had together, calculated to prevent the renewal of all relations. I believe, however, that the definitive rupture should be attributed to a cause natural enough, perhaps, but not the less indelicately employed. We will advert again to this subject; it places itself spontaneously under my pen." Our author refers here, we suppose, to the fact, which she had previously asserted, that Josephine was jealous of Madame de Permon, in consequence of the attachment which Bonaparte had shown towards this lady antecedently to his marriage.

When the engagement of our author to Junot was definitively settled, the latter, of course, introduced to her acquaintance his different relatives, who had migrated from their rural abodes to Paris, for the purpose of being present at the nuptials. They all come in for a share of the benefits accruing from the laudatory propensities of our author, with regard to every one connected with her by whatever ties of relationship, and appear, in consequence, to have constituted a family more admirable in all respects, than any other which has ever blessed the face of the earth; save and except only—that of *Madame de Permon*. In a word, they were worthy of forming the domestic suite of *Andoche Junot*, General in the French army, commander of Paris, Duke of Abrantès, husband of our author, et quædam alia. The eldest brother of the General, is an especial favourite with the widow; and from her account he must have been a very worthy man, fully

deserving of the epitaph inscribed upon his tomb-stone by his disconsolate relict: "Il ne fit jamais de mal, et n'a pratiqué que le bien." We allude to him, however, not so much for the purpose of lending our humble aid to the transmission of his name to posterity, by transcribing from the page before us his diversified excellence, as for that of prefacing the relation of an incident in his history, of a most singular and interesting character.

At the period of the expedition to Egypt, Bonaparte enjoined Junot to persuade his brother, of whom he entertained a high idea, to accompany it: he was induced to do so, leaving behind a wife and a little son whom he idolized. But he had not been absent long, before the separation from his family rendered him miserable in the extreme. He begged permission to return; it was refused; he reiterated his solicitations, but to no purpose; Bonaparte evinced an unaccountable obstinacy in withstanding every prayer for his release, and it was only after the departure of the commander in chief, that he at length obtained the coveted favour from Kléber. He had experienced, however, only the beginning of misfortune. On the passage home, he was taken prisoner by the English, treated with great cruelty, and when, at last, after having been thrown rather than disembarked on the coast of France, he found himself under his own roof, the prattling, joyous welcome he had anticipated as a compensation for all his sufferings, was not there—his eyes were unblest by the reality of the delightful picture on which his fancy had loved to dwell, of the object of all his paternal affection and solicitude running to him

"To kiss the sire's return,
And climb his knees the envied kiss to share."

His little son was dead. The affecting narrative of the peculiar cause and manner of the poor child's decease, would be injured by abridgment, and we give it therefore in our author's words.

"This death of so young an infant would not have been more than afflicting, had it not been accompanied by circumstances which rendered it heart-rending. They were a long time concealed from my brother-in-law, whose extreme sensibility would at first have scarcely stood such a recital. He was not made acquainted with them until his wife had presented him with a second child. I have already said that he was a good father; but if he was so for the children whom he had subsequently, his first-born collected upon his head all the tenderness, the future joys, the pride of a young father, and he loved that child to idolatry. He had him almost constantly in his arms; and when he was in those of the mother for the purpose of drawing nourishment from her breast, he would keep hold of one of his little hands, and not relinquish it even during a portion of his sleep. Had the child not been naturally good and affectionate, a continuance of such tender cares and endearing caresses would have attached it to the one by whom they were bestowed; and accordingly Henry loved his father with an affection which did not belong to infancy. Alas! the poor little creature soon gave sad and touching proofs of it.

"At the moment of my brother-in-law's departure, his son was two years and a half old; but his intelligence, already precocious, had been still further d

ed by the tenderness with which he had been treated, and at the age of thirty months, he was like a boy of eight or ten years. When the vehicle which carried off his father was disappearing, the little being uttered piercing cries; whilst the mother, whose sobs were in unison with his, only cried with him instead of endeavouring to distract his attention. Soon, however, the whole family, astonished at seeing, in an age so tender, a degree of grief which approached to despair, made use of every means to amuse the attention of the poor child; they told him stories, gave him toys of every form and colour, brought his little friends to play with him; but nothing consoled him. At the end of some days only he ceased to cry aloud; but his cries were replaced by sighs so deeply drawn, looks which sought around with such anxiety and love for the paternal form, that his appearance was pitiable in the extreme.

"He was as beautiful as an angel, resembling those cherubim whom Raphael has placed on his canvass. His little white and curly head was a charming spectacle, when his mother, with the proud complacency which all mothers have in their children, would run her fingers through the silken ringlets which fell in thick bunches about a fair and rosy face, animated by an expression of liveliness, gaiety, and intelligence. But his days of beauty were short, and never was the simile of the flower and the child more appropriate.

"*'Mamma, where is papa?'* the little creature was continually asking.

"During the first weeks, the answer was, *'He is gone away; but he will soon return.'* It appears that the development of the imagination of this child was altogether extraordinary, and that the simple word *gone*, commented upon by him, and presenting to his mind only an indefinite idea on which he could find no reasoning, and whence he could derive no hope, he was only the more distressed after having heard it. My sister-in-law, whose perfect soul understood the griefs of every age, was the first to perceive it; and when the child would ask her for his father, she would answer that he was at Bussy. Then the eyes of the little one, which had already lost a great portion of their vivacity, would sparkle again, and he would say, *'Mamma, let us go to Bussy.'*

"They took him there, although they were sure he would not find the object of his search. As soon as the carriage approached the house belonging to his grandmother in that place, the little creature would jump from the lap of his mother or grandmother, and clapping his hands, cry out—*'Papa! Papa!'* and on going into the house, his little legs would find strength to mount the stairs and traverse all the rooms. His voice had again become joyous; he thought that his father was playing with him. Whenever he found a door at all open, or a curtain somewhat drawn, he would go up to it softly, thinking that his father was hid behind it. He would thus make the circuit of the house, followed by his mother crying bitterly, both from her own grief, and a spectacle which lacerated her heart. After having visited every apartment, he would allow himself to be taken away, saying, in a broken voice: *'Mamma, papa is not here; let us go to Dijon.'*

"When they were at Dijon, he would recommence the same lamentation and the same question; *'Where is papa?'*

"*'He is at Sémur, my love,'* would his mother answer—*'Let us go to Sémur, mamma!'* And when they were at Sémur, he made search over the house of his grandfather in the same way as he had done at Bussy. At first there was the same joy, the same infantine gaiety; then the child disappeared, and it was a person, dying with excess of sensibility, who said to his mother—*'Papa is not here; let us return to Dijon.'*

"As the only prescription which the physician could give, was to amuse his mind as much as possible, all his caprices were attended to, all his wishes were gratified. Almost a year was thus passed in repeated journeys from Dijon to Bussy, to Sémur, and every place where the memory of the child located a recollection of his father. At length he became too feeble to bear the motion of the carriage; he would no longer quit the arms of his mother or grandmother. He no longer cried, except, when sometimes deceived by a species of resemblance, he fancied he saw his father in some one, either in the street, or who came into the house; and then he wept abundantly, as soon as he discovered his

mistake. Such a condition could not last long, and the child fell into a complete marasmus. My sister-in-law, in despair, provided him with every kind of aid, but to no purpose. The most skilful physicians of Dijon declared they could do nothing for him. Alas ! the departure of his father was the storm which had broken this young flower, and even his return would not have saved him. He gently declined, still calling on his father, and his name was the last sound that issued from those poor, delicate, colourless lips, which formerly, with the vermilion of a cherry, used to pronounce it with a smile of joy."

This remarkable incident was related by our author one evening at Malmaison, when the company assembled there were telling stories about extraordinary children. The First Consul, who did not often give ear to such matters, listened to it with great attention, and when she had concluded, asked her if she had not been indulging in a romance. She assured him of the truth of what she had narrated, and that, so far from having exaggerated the pathetic part, she had rather diminished it, as he would find if he were to hear the story from the mouth of her sister-in-law. He then, she says, began to walk up and down, without saying a word, as was his custom when strongly moved. At length, raising his head, and looking around him, "where is Corvisart?" he asked. The illustrious leech was called, and soon made his appearance. "Corvisart," said Bonaparte to him, "is it possible for a child to die of grief on account of not seeing some one whom he loves? his nurse, for instance." The other replied that he thought not, and the First Consul regarded Madame Junot with an air of triumph, saying, "I was sure of it!" She, however, in her turn, affirmed that the question had not been fairly put, and then briefly told the circumstance to the Doctor. As soon as he heard it, he exclaimed that it was quite a different affair; that a wet-nurse might be replaced by another attendant, who would take the same care of the child, and feed it at the same hours at which it had been nourished; but that an affection broken by absence in the manner just related, by the departure and prolonged absence of a father, could well occasion death. He might also have hinted at the difference between the love which is born with a child towards a parent, planted by the hand of nature in its breast, and that sentiment which is casually engendered by the nursing of a stranger. The Doctor went on to say to Bonaparte, that he had in his portfolio a multitude of notes relative to the affections of the soul in general, in children, and that if he were to communicate them to him, he would be astonished to perceive that not only are there the germs of passions in infant breasts, but that those passions are developed in some children in a fearful manner—that jealousy, for instance, has killed, as if it were by poison, children of three years old, and even younger. "You believe, then," said the First Consul, "that this little Junot died of grief at the separation from his father." Corvisart repeated that such was his conv

ing, at the same time, that it was well the child was dead, as its exquisite sensibility would have rendered its existence extremely miserable.

Bonaparte rubbed his forehead several times during the physician's reply. It was evident, says Madame d'Abrantès, that the remembrance of the constant refusal with which he had met the entreaties of M. Junot, for permission to return from Egypt, was agitating him powerfully. "I am sure that if the light had been directed towards his eyes, I should have seen them moistened with tears." "Is your brother-in-law still in Paris?" he asked her. "Yes, general." "You will mention to him then that I wish to see him. Does Junot know the cause of his nephew's death?" "I think not, general; for my brother-in-law himself has only known it since the second accouchement of his wife." He again passed his hand across his brow, and shook his head like one who wishes to drive away a painful thought; but he never, according to our author, allowed it to be long suspected that he was swayed by a strong emotion. He again walked to the other side of the room; then returning, he placed himself before Corvisart, and asked him, with ludicrous bluntness—"Corvisart, which would be preferable, that there were physicians, or that there were none?" The modern Hippocrates answered the rather sneering look which accompanied this question, by another which was worth it at least, and said: "By my faith, general, if you desire my conscientious opinion, I think it were better there were none." Every body uttered an exclamation of astonishment. "Yes," pursued Corvisart, "but to render that feasible, there should be no grannies (*bonnes femmes*.)"

The marriage of our author with so especial a favourite of Napoleon as Junot, brought her of course immediately into contact with the Consular court. At that period, according to her account, it had reached its highest point of perfection; it still was regulated with a view to being popular, whilst under the Empire it was entirely changed, by the introduction of etiquette and ceremony, not more, perhaps, for the purpose which originally engendered them, if we may believe him of Avon,

"To set a gloss on faint deeds—hollow welcomes,
Recanting goodness, sorry ere 'tis shown;"

than for the gratification of that infirmity which is strongest in those who have not always had it in their power to satisfy its demands. Our author asserts it to be a positive fact, that the First Consul was anxious to perpetuate as much as possible the improvement in morals which had been operated by the revolution, and that he was very discriminating in his particular and frequent invitations to Malmaison, although he may not have been so with regard to the singular dinners which he gave every ten days to

two hundred persons of all classes and ranks. Every *Quintidi* was appropriated to reviews, or rather parades, in the court-yard of the Tuileries, for which all the regiments in France came alternately to Paris. By this arrangement, the metropolis became acquainted with the entire army, whilst the troops ceased to consider the city as another continent. In these reviews the First Consul took great pleasure. He sometimes spent five hours at them without an instant of repose, first riding along the ranks upon his white charger, *Le Désiré*, and then dismounting and mingling amongst the officers and privates, of whom he made the most minute inquiries with regard to their fare, dress, manœuvring, and every thing in short that was useful for the man, and requisite for the soldier, encouraging them at the same time to speak to him without restraint. He had always near him, besides the aid-de-camp on duty, the minister of war, the General commanding the first division, the Commander of Paris, the *Commissaire ordonnateur*, the commissaries of war attached to the city of Paris, and all those to whom an order was to be immediately transmitted, in case he should find in the course of his inspection any thing to change or ameliorate. By this means, every thing was done with order and rapidity, and whilst it was of the greatest benefit for the army, it tended to cement their attachment to the chief; to cause them to behold in his person the nation itself; and to receive blame or praise from him as if from the state.

It is when dilating on this exciting topic of the military condition of France, at the epoch under consideration, and with her fancy warm with the recollection of waving banners, nodding plumes, and martial sounds, that our author indulges in those exclamations we have already recorded—"Quel temps! Quel temps!" These, it is true, are sufficiently natural in the mouth of a Frenchwoman, whose ardent feelings, and particular position at the time, must unavoidably have caused her to participate in the infatuation which entailed such evils on the

"Gay, smiling land of social mirth and ease."

Under Napoleon, the people of France, for a period, were in the condition of one who has been gazing at the meridian sun until its overpowering blaze has so completely monopolized all the powers of his vision, as to invest every object with the same glittering appearance. Looking with intense admiration at the brilliancy of his career, beholding the lustre it shed around the region whose military glory is ever the subject of their most fervent aspirations, their minds became absorbed by the dazzling spectacle. In vain were scenes of misery, of desolation—the offspring of ambition and despotism—placed before them in the most hideous forms. They saw them not; they could not see

them; they beheld nothing every where but the reflection of the splendour which they contemplated with frenzied ecstasy. It was not until the clouds of misfortune had begun to lower and pass their shadowy dimness over the radiant orb of Napoleon's renown, producing the salutary gloom which is indispensable for the restoration of moral as well as of physical optics to a healthful action, that they were enabled once again to discern the true aspect of things. Then, at length, was the fatal film which had been cheating them into mortal delusion, swept rudely away, and bitter indeed was the scene that was brought before them in its real colours. It ought to have sunk a lesson deep into their hearts, with regard to their delirious passion for the fatal word, "gloire," which should cause them ever to beware of it as of a mischievous phantom enticing them to destruction. But nations, unfortunately, are still less apt than individuals to learn wisdom from experience, and it was certainly not by her own efforts that France has just avoided a war for which the national pulse beat high, the purpose of which was to chase the same ignis fatuus that has so often involved her in the deepest fens of misery.

It cannot indeed be denied, that there is a degree of truth in the panegyrics of our author upon the commencement of the consulate, in which Bonaparte verified, in a manner, the proverbial phrase, "*reculer pour mieux sauter*;" he was obliged for a period to repress the heavings of his ambition, and to act with double apparent patriotism, in order to obtain that hold upon the confidence and affections of the people, which was indispensable for the accomplishment of his ulterior views. It is no wonder that he succeeded in deceiving others, when his own brother, Lucien, was the dupe of his address, and in the beginning, an efficient, though innocent instrument, of his designs. We say innocent, on the authority of Madame d'Abrantès, who has given some interesting details in the first chapter of her fourth volume, in reference to this only brother of the Emperor whose brows were never encircled by a diadem; and of whom, by the way, as well as of Joseph, she uniformly speaks with great regard and respect. She says that when he rendered such important assistance to Napoleon on the 18th Brumaire, he was under the full conviction, that he was aiding in the establishment of a government on liberal, if not republican principles, of which he was a sincere and zealous advocate. With our author's brother and brother-in-law, he was on terms of great intimacy, and soon after his difference with the First Consul, he made his appearance one day at Madame de Permon's, in a very gloomy mood. He had just been removed from his post of Minister of War, and directed to proceed on his mission to Spain—a species of honourable exile. "I am about to depart," he said, "because my councils displease; my brother chooses rather to believe the

perfidious insinuations of a woman whom he ought to know well enough not to sacrifice his family to her—he suspects fraternal fidelity, when it is the devotion of that same brother which has opened his way to a throne.” “A throne?” cried Madame de Permon. Lucien at first gave no other answer than a deep melancholy smile, and taking up the tongs, began to play with the fire; at length, he said, “Recollect well, Madame de Permon, that most certainly I had no thought of the kind on the 18th and 19th Brumaire.”

The allusion by Lucien to Josephine, in what we have quoted above, is but one of many harsh charges against her, which are to be found in these volumes. Besides various insinuations thrown out respecting her character, both as a woman and a wife, and even in one instance as a mother, there is an entire chapter devoted to a story of the most scandalous description, in which she and M. Charles are the principal actors, which, if true, would destroy her reputation for ever. But, true or not, its introduction by Madame d'Abrantès into her Memoirs, deserves unqualified censure. No good effect can possibly accrue from it, whilst it indicates a degree of malevolence which we should wish to deem incompatible with female nature. It is deeply to be deplored that those who were “for softness form'd, and sweet attractive grace,” should not always bear in mind the salutary truth which the greatest of bards has announced:—

“A woman mov'd is like a fountain troubled,
Muddy, ill-seeming, thick, bereft of beauty;
And while it is so, none so dry or thirsty,
Will deign to sip, or touch one drop of it.”

The Roman poet, however, when he drew the picture of Juno, “*æternum servans sub pectora vulnus*,” exhibited a portrait, which, unhappily, has ever had too many counterparts.

This intrigue with M. Charles, is said to have occurred during the period of Napoleon's absence in Egypt, and may be considered a sort of set-off to a previous narrative of one of his *liaisons* in that country with a Madame Fourès. Both of the stories are told, we must confess, much more in the spirit of a lover of scandal, than in that of a lover of virtue—not that we would by any means insinuate that Madame d'Abrantès is not the latter;—our meaning is, that the pleasure which she takes in their narrative, seems to have predominated over the abhorrence which she should have felt and expressed for such transgressions, there being little indication given by her of any strong disposition to reprobate them as they deserve.

We may notice here, not altogether *à propos de bottes*, a singular incident in the life of our author, contained in the concluding chapter of the fourth volume, which none but a Frenchwoman of no very great sensitiveness could have related.

visit at Malmaison without Junot, who was obliged to remain in Paris, in consequence of his official duties. One morning early, she was awoke by a violent noise, and on opening her eyes beheld the First Consul near her bed. "It is I myself," he said laughingly, "but why do you look so astonished?" Instead of screaming or ordering him out of the room, she very composedly showed him her watch, which indicated five o'clock. "Indeed, said he, is it only that hour? Well, so much the better, we will have some chat;" and taking a chair, he placed it at the foot of the bed, sat down, and began to examine a large package of letters which he held in his hand, talking, as he proceeded, about their contents. On her side, she sustained the conversation with as much ease as if she had been seated in her drawing-room for the reception of company. This extraordinary dialogue lasted for an hour. "'Diable! it is six o'clock,' he said on hearing a clock strike—'Adieu, Madame Junot;' and approaching nearer to the bed, he pinched my feet through the covering, and smiling with that charm which illumined his countenance, left the room, singing in a false and cracked voice, notwithstanding his fine sonorous tone in speaking, an air which he never sang but when in very good humour." "I arose," she continues, "without thinking any more of this visit."

The next morning she was again roused in the same way by the entrance of the First Consul into her chamber, with a package of letters and journals in his hand, and after a conversation similar to the preceding one, he again pinched her feet and went away. Certes, this First Consul was a very free and easy gentleman, and she began to think so on this repetition of his matinal visit. Calling her maid, she forbade her to open her door to any one who should knock at it so early. "But, Madame," replied the other with as much surprise at the prohibition as an American woman would have felt at the intrusion, "if it be the First Consul?" Her mistress told her that she disliked being awoke so early by the First Consul, as well as by any one else, and repeated her orders. On retiring to rest in the evening, she again renewed the injunction to her attendant. Her sleep was agitated and broken, and at the first dawn of day she awoke, thinking that she heard a noise near her door. She listened without catching a sound; but all at once it occurred to her that she ought to take the key out of the door of her maid's room, as the latter would doubtless scarcely dare to refuse opening it for the First Consul, and she was determined, she says, to put an end to these visits—not that she herself saw any harm in them, but she knew enough of the censorious malice of the world, notwithstanding her tender youth, to form some slight idea of what might be said about the affair. She accordingly rose, traversed her own and her maid's rooms, and took the key. At about six o'clock, she heard the steps of

the First Consul in the corridor. He knocked at the door, though much more gently than on the previous occasions, and after waiting awhile repeated the knock. She then heard her maid telling him that she had taken the key, on which he retired without making any answer. Our author was then attacked with the most extraordinary sentimental fit,

"For ought that we have ever heard or learn'd,
Or ever read in tale or history,"

that ever was thought of or recorded; it is really deserving of being termed, in Ariosto's language,

"Cosa non detta in prosa mai, nè in rima."

She says that when the noise of his footsteps died away upon the stairs which led to his cabinet, she breathed as if the heaviest of loads had been removed from her breast; but soon afterwards she burst into a flood of tears. "I looked upon the First Consul as my brother, or rather as a father, the affection I entertained towards him having always been based upon the profoundest admiration; he was the protector and support of my husband. Junot himself regarded him with the fondest attachment—*how would he view this species of gross distrust which I testified in reference to him, by depriving him of a moment of distraction which he sought in coming to chat with a child whose birth he had almost witnessed?*" How, we may ask, would the being whose theory it was, that his fellow creatures were solely influenced by considerations of self-interest and fear, have been affected by an account of this touching sorrow, for "depriving him of a moment of distraction," which, poor man, he could find no where else but in a lady's bed-chamber, at five o'clock in the morning? Would he not have been constrained to abandon his theory, by acknowledging an instance of wonderful abnegation of self, of marvellous disinterestedness, or else have indulged in a kind of smile somewhat different from that which throws our author into raptures, whenever it beams upon her memory?

Having at length, however, found some solace for her grief in the reflection that she would escape the malevolent calumnies of a harsh judging world, she closed her eyes in sleep. Her nap was profound, but alas! not of long continuance. She was soon aroused by a rather violent opening of her door, and beheld the First Consul. "Are you afraid of being assassinated?" he said in a sharp tone. She replied that she had taken the key out of her maid's door, in order that those who wished to come into her room, might enter by its door. Napoleon fixed his "hawk and eagle eyes" upon her, without answering. "I was wrong not to tell him at the moment my determination, but I was under the influence of a foolish timidity, of which I have deeply repented." "To-morrow," resumed the First Consul, "rd

hunt is to take place; you have not forgotten it, I hope? We will set out early, and in order that you may be ready in time, I will come myself to wake you; and as you are not here in the midst of a horde of Tartars, don't barricado yourself as you have done. At all events, you see that your precautions against an old friend, have not hindered him from getting to you. Adieu!" On his retiring, she learned from her maid that he had entered by means of a master-key. Her situation now became extremely painful; she knew not what course to take. She was anxious to leave Malmaison immediately, but knew not how to effect that object. In an agony of doubt, she exclaimed, at the same time letting her head fall upon her hands—"My God! what shall I do"—when, at the instant, she found herself encircled by two arms, and a well known voice asked her what was the matter. It was Junot. After the first emotions of joyful surprise had subsided, she begged him to carry her with him to Paris, when he returned in the evening, as he was obliged to do, making the best excuse she could for her sudden request. He refused, however, to accede to it, on the ground of the impropriety of her leaving Malmaison before Madame Bonaparte. In the evening, when he was about to set off, she renewed her solicitations, but with no better success, as she was afraid to communicate to him the real motive of her urgency. It was late, and they were at the time in her room, where she had gone on pretence of writing a letter to her mother. Finding her efforts to go with him futile, she endeavoured to persuade him to stay with her, notwithstanding the positive orders of Bonaparte, that the commander of Paris should never sleep out of the city, and at length prevailed. "I don't fear arrest," he said laughing, when he yielded the point, "but you will get me a scolding."

At an early hour the next morning, Madame Junot heard the steps of the First Consul advancing along the corridor. Her husband still slept. The door opened. "What! not up yet, Madame Junot, on a hunting day! I told you that—" By the time he had said this much, Bonaparte had pulled aside the curtains of the bed, and on beholding Junot became silent and motionless with astonishment. The latter, scarcely awake, gazed at him with ludicrous amazement, until finding his speech, he exclaimed, "Good Heavens, General, what do you want with our wives at this hour?" "I came to wake Madame Junot for the hunt," he replied, after having bestowed a long look upon her, the expression of which she affirms is still vividly present to her mind's eye; "but I perceive that she has an alarm-clock much more maternal than I am. I have a right to scold; for, M. Junot, you are here in a contraband way." Junot threw the blame upon his wife, and Napoleon, affecting to laugh, pardoned his dereliction of duty, and at the same time, to show, as he said, that he was

not angry, he gave him permission to attend the hunt. He then left the room, and Junot, who had much more to pardon, and much more right to be incensed, was so delighted with his escape from a "scolding," that he jumped out of bed, exclaiming, "what an excellent man! what goodness! instead of reprehending me, instead of sending me about my business to Paris! my dear Laure, acknowledge that it is a being not only astonishing, but out of the circle of human nature." "My dear Laure" might well have complied with this requisition in reference to his own miraculous simplicity or obtuseness.

When every thing was ready for the hunt, the First Consul placed himself in a little chariot, and making a sign to our author, asked her to honour him with her company. She could not refuse before so large a collection of persons as was assembled, and accordingly she got in, and the vehicle drove off. For a short time both were silent; but at length the First Consul, folding his arms, turned to his companion and said, "you think yourself very smart, do you not?" She made no answer, and he repeated the interrogatory. She then replied that she did not fancy her intellect was above the ordinary mark, but that she did not think herself an *imbécille*. "No, you are not an *imbécille*," he politely rejoined, "but a *sotte*." After this gallant speech, he asked her why she had induced Junot to stay. She assigned her affection for her husband as a reason, and on her affirming that it was the sole one, in answer to his question whether it was so, he absolutely said to her—we are almost ashamed to translate the expression—"you lie!" "vous en avez menti." It cannot, it is true, be denied, that she had not adhered very strictly to the truth, and this being the second instance of her confessing, in the narrative of this adventure, a deviation from positive fact, a doubt might be entertained that her memory has been scrupulously exact in the statement of what Bonaparte uttered. We do not mean to hazard any Quixotic phrases about chivalry and the like, but we do soberly assert our belief, that whilst there have been, "from Macedonia's madman to the Swede," and to a later period, many heroes, as they are termed, who would have revelled in the blood which he caused to flow in torrents, there could scarcely be found one who would have deliberately applied the epithet "liar," to a female, in the way in which Madame Junot asserts she was so called.

The dialogue between the First Consul and our author—in the course of which she told him that she was about to return to Paris with Junot, not on account of what had occurred, but in consequence of having just received a letter from her mother stating that she was ill—lasted until they had arrived at the spot where the hunt was to commence. Bonaparte then mounted his horse. After the conclusion of the sport, Madame Junot and her hus-

band left Malmaison for the metropolis. We make no further comments on this singular story, though we cannot forbear intimating our impression that it does not carry on its face an air of perfect credibility, notwithstanding the skill with which it is worked up.

There is another story related by our author, which, if true, would demonstrate that Bonaparte was destitute not only of every chivalrous feeling, but even of sentiments of common courtesy towards the other sex, at the same time that it would convict him of a total disregard of the obligations imposed by the closest and tenderest of all relations. Although we certainly have no admiration of the character of the man apart from his genius, we find it difficult to credit what would induce us more strongly to regard him as a person impervious to every gentle influence, than all the accounts of all the fields which he deluged with human blood. The ruthless conqueror may find apologists and admirers, but the brutal husband none dare refuse to condemn. The incident to which we allude, is said by Madame d'Abrantès to have occurred whilst she was staying at Malmaison. Napoleon had purchased an addition to the grounds, and insisted, the day afterwards, upon taking Josephine and our author to see and admire the acquisition. The former was very unwell at the time, but the order was imperative, and the two ladies accordingly got into a carriage. He preceded them on horseback. Josephine, according to Madame d'Abrantès, was inexpressibly timid at all times when riding, and unfortunately on this occasion it was necessary to pass a ravine of a very perilous kind. As soon as she perceived it, she cried out to the coachman to stop, and despatched an out-rider to tell the First Consul that she would return unless some other road could be found. Napoleon came up immediately, and scolding her for her folly, told the coachman to drive on. When the vehicle had reached the border of the ravine, Josephine uttered a piercing shriek—"Let me get out! I will not remain here—Bonaparte! I beseech you—let me get out!" She clasped her hands and cried bitterly. Napoleon looked at her, but instead of being affected by her distress, he shrugged his shoulders, and rudely commanded her to hush. "This is childishness; you shall pass! and in the carriage. Go on; do you hear me?" he continued to the coachman. Our author then interfered, and being pregnant at the time, begged permission to alight, which Bonaparte granted, and dismounting, helped her out himself, but as soon as she had reached the ground, he peremptorily ordered the steps to be put up. She then began to intercede for Madame Bonaparte, representing that she was sick and suffering, but he stopped her by saying that he was not fond of remonstrances, and conducted her across the ravine. When on the other side, he perceived that the carriage had not begun to move,

Josephine having begged the coachman to defer the dangerous attempt for a moment, as a criminal begs for a minute's reprieve. "You scoundrel, will you not obey my orders?" said Napoleon, advancing to the man and applying his whip to his back. At the same instant he struck the horses so as to make them start. The vehicle accomplished the passage, but with so much difficulty, that the damage it received was such as to unfit it almost for further use. As to Madame Bonaparte, though she happily received no corporeal injury, she was so much disfigured by tears and alarm, as to be scarcely recognised. "When she was getting out, and presented the figure she did, the First Consul testified more than discontent; he was enraged. He pulled her brutally enough from the steps of the carriage, and carrying her to a little distance in the wood, we could hear him scolding her with violence."

One of the most interesting portions of the fourth volume, is relative to the attempt upon the life of the First Consul, by means of the infernal machine. As is well known, it was made on the night of the 3d Nivôse, when the oratorio of Haydn was to be performed at the opera-house.

"It was seven o'clock when we reached our box. The house was crowded to such excess, that a pin could hardly have been inserted. The ladies were admirably dressed, and the theatre was brilliantly lighted; the coup d'œil was indeed magnificent.

"My mother and I occupied ourselves at first with gazing at the exhilarating spectacle, and returning a host of salutes, given with smiles so soft, so winning, that a stranger just arrived among us, at such an instant, would believe that all the men are brothers, and all the women sisters; and what is delightful is, that the kindness of expression springs from real feeling at the moment. I think I have found the cause of it in a state of happiness and tranquillity, a species of enjoyment experienced by young females fully dressed, in public, either at a theatre or a ball, where they are surrounded with a joyous and intoxicating scene. The smile of their lips, the beam of their eyes, form then but a single mechanical movement, provoked by the magnetic influence exercised upon every woman in that position."

"The first thirty measures of the oratorio had been hardly executed, when a loud explosion was heard, like that of a cannon. 'What means that?' said Junot with emotion. He opened the door of the box, and looked into the lobby for an officer of the place, or one of his aides-de-camp. 'It is strange,' he continued—'What can a cannon be fired for at this hour? And then I should have known of it: Give me my hat, I will go and find out what is the matter.'

"At that moment the door of the First Consul's box opened, and he himself appeared, with General Lannes, Lauriston, Berthier, and Duroc. He smilingly saluted the immense multitude, who almost mingled cries of love with their plaudits. Madame Bonaparte followed him in a few moments with Colonel Rapp, Madame Murat, who was nearly nine months advanced in her pregnancy, and Mademoiselle de Beauharnois. Junot was about to shut the door of the box, in order to observe himself the serene air of the First Consul, which I had just remarked, when Duroc came up with an agitated countenance, and almost wild manner. 'The First Consul has just escaped destruction,' he said quickly to Junot; 'go to him, he wishes to speak to you. It is impossible that the affair should not be known here in a quarter of an hour, but he desires to make no stir of himself; come with me, therefore, and let me take your arm, for I am trembling all over. My first battle caused me less emotion.'—All this was said

in a low tone, so that we could not hear it; but Junot repeated it to us afterwards, saying, at the same time, 'I love Duroc. He is almost as much attached to the First Consul as Marmont and myself.'—Junot hastily bade me adieu, and accompanied Duroc.

"During this short conversation, the oratorio was going on, but the fine voices of Mesdames Branchu and Walbonne, and of Garat, had not yet absorbed the attention of the audience. Every eye was turned towards the First Consul, and he alone at the moment occupied the thoughts of two thousand persons. Soon a hollow murmur began to spread from the pit to the orchestra, to the amphitheatre, to the boxes. 'The First Consul has been attacked in the street of Saint-Nicaise,' it was said. The truth, however, was quickly circulated, and at the instant, as if by an electric shock, a simultaneous acclamation was heard; a simultaneous look seemed to cover Napoleon with the protection of love. What I relate I *saw*, and I did not *see* it alone. There exists, perhaps, in Paris, more than two-thirds of those who were at the opera on the 3d Nivôse. They may probably *not dare* to be the first to relate what occurred there on that evening; but let them answer to my call, and say whether I do not trace faithfully what took place at the moment when the news was known. What agitation preceded the explosion of the national rage, which was represented in that last quarter of an hour, by that multitude whose fury at so black an attempt cannot be expressed by words! Women were to be seen sobbing bitterly, and men shuddering with indignation, whatever banner they followed, and joining heart and hand on this occasion to prove that differences of opinion do not entail a difference in the manner of understanding the dictates of honour. I kept my eyes fixed upon the box of the First Consul. He was calm; at times, however, appearing powerfully moved, whenever any words were borne to his ears strongly expressive in relation to what had passed. Madame Bonaparte was not at all mistress of herself. Her whole appearance was disordered; her attitude even, always so graceful, was no longer the same. She seemed to shudder, and to wish to hide herself under her shawl as a protection, and, in fact, it was that shawl which had saved her life. Whatever effort she made to restrain her tears, they could be seen trickling down her pale cheeks, and whenever she looked at the First Consul, her shudders recommenced. Her daughter, also, was very much agitated. As to Madame Murat, the character of the family appeared in her; although her condition well permitted her to manifest the dignitude and emotion natural to the sister of the First Consul, she was perfectly mistress of herself during the whole of that painful evening."

Our author did not remain very long in the theatre after the circumstance was known, Madame de Permon having become alarmed at hearing a gentleman in the neighbouring box say that the authors of the plot had wished to explode their machine near the Opera-house, and that as none of them were yet arrested, it was not improbable, that on the departure of Bonaparte another attempt might be made, since the first had failed. After leaving her mother at her residence, Madame Junot proceeded to the Tuileries, as she had been previously told to do by her husband. On her arrival there, she found the First Consul returned from the Opera. He was in the drawing-room, surrounded by his officers, and in a state of high exasperation, although he had manifested a species of indifference in relation to the former attempts upon his life. The agitation of Josephine was still far from having subsided; her tears continued to flow copiously. Independently of the danger which her husband had escaped, she herself had almost been the victim of the explosion,

the door of her establishment whenever the First Consul passed by it, on going to the Opera, did so unfortunately on this occasion, and had her two breasts carried away by a fragment of a cauldron, and died in a few days. Of two servants of the same Café, one was killed, and the other wounded.

The sensation produced throughout France by this attempt, was unexampled. Bonaparte should feel grateful to it, says our author, for the evidence which it occasioned to be given to him, that he could ask any thing from a people by whom he was loved to such a degree. "I have seen," she continues, "and still have under my eyes, the reports made by the military police every day to Junot; and in them I have beheld proofs of the attachment and devotion of the nation, which perhaps render Napoleon deeply culpable for having abused them as he did."

Madame d'Abrantès had herself no slight personal reason to detest the infernal machine, as may be inferred from the following extract.

"On the evening of the 6th, Junot came home exhausted with fatigue, having been running about all day. It was only ten o'clock, but, although he had promised to bring me home from my mother's, he could not resist the weariness which overpowered him, and accordingly he sent a servant to tell me to turn without waiting for him. In the month of November, I had been attacked by a slight fever, but I was then convalescent. During the few days of the continuance of the malady, a little camp-bed had been placed for Junot near mine, and whilst occupied with the affair of the 3d Nivôse, he had retained the same bed, in order to be more able to rise at any hour without waking me. Harassed with fatigue, he had lain down and was sleeping; but his slumber, which was commonly unquiet, was still more so during those times of trouble and alarm. His dreams were frightful. They were filled with nothing but poignards surrounding the First Consul, an assassin prostrating him, a new machine about to explode. On reaching home, I went up to my room, and approaching the bed on which Junot was lying, I leant over him, saying, 'what! already asleep?' At that moment he was dreaming that he was in the cabinet of the First Consul, that several assassins had made their way into it; and that one of them was about to set fire to a machine placed under the bureau of Napoleon. It was at the instant that I spoke to him; he awoke, but not sufficiently to recognise me; the fire which was burning in the chimney was taken by him for the lighted match of the murderer—the murderer was I. 'I have no arms,' cried Junot, 'but I will prostrate you.'

"Before I had time to renew my question, he had applied his foot to my breast, and given me a blow, the violence of which sent me headlong to the other side of the room. The whole passed so quickly, that my maid, who had followed me up stairs, only at that moment entered the room with a light. I had uttered a piercing shriek, which completely awoke Junot, who was sitting up and petrified with horror in his bed. He thought he had killed me, and did not get out to come to me. I was indeed in a lamentable condition; the force of the blow had not only lacerated my breast, but caused me to spit blood in considerable quantities. Junot was in a state of distraction. M. Baker was sent for, although it was eleven o'clock. He came, and after hearing how the matter had happened, and examining the position of Junot and myself, he told us that if Junot had been two inches farther from me, so as to have afforded more power to his leg when he darted it at me, I should have been killed; he would have broken my breast bone."

This story may perhaps bring back to the recollection of some

would have irritated me if I had been in Bonaparte's place. 'I have honour of observing to you, General,' he replied, 'that the brigands who have been arrested are none other than Chouans, who themselves are not Vendéans in another dress. When the diligence was stopped, they began firing even, by demanding the funds belonging to the republic, well known that the formula of the brigands of the west is not different. They hunted, so to speak, by General Bernadotte, they abound in our quarters, they are still Chouans, and I persist in maintaining it.'

"At this repetition of the assertion, accompanied by an expression altogether improper, the First Consul advanced towards Fouché with a precipitate, evincing lively anger. He planted himself before him, and crossing his arms, said: 'And I, citizen minister of the general police, I repeat to you that you are mistaken, or rather that you wish to make others believe that you are mistaken.' At this moment Madame Bonaparte, who was tenderly attached to Fouché, and felt a profound interest in whatever related to him, which he knew, approached behind Bonaparte, and passed her hand through his arm. The First Consul gently disengaged himself from the arms of his wife, and said to her mildly, but peremptorily: 'I beg you, Josephine, leave me alone when I am speaking on serious matters.' I shall never forget the disconcerted appearance of Madame Bonaparte. She quietly returned to her place without saying a word.

"'Yes, citizen minister,' resumed the First Consul, 'I repeat distinctly to you that you are mistaken in supposing that the domestic poison by which the republic is unfortunately disturbed, comes from any other source than this vast ocean of robbery and crime, contrived by a troop of wretches who belong to the present and who would degrade any to which they might be attached, but who, fifteen years past, always ready to sell their services, have been attentive to the smallest trouble, in order to increase and profit by it. Do you believe that those who were the actors in the murderous scenes of the 2d and 3d of September; that those who executed the republican marriages at Nantes, tying to the gallows a young girl of fifteen years and a young man of twenty, making at the same time the most infamous reflections; that those who have covered the streets of Avignon with corpses, the assassins of the prisoners of Versailles; that the wretches who during two years lived ankle deep in blood, by signing death-warrants of persons ninety years old, such as the Abbess of Montau; that the youthful victims of sixteen years of age, such as the young girls of Valenciennes; do you believe, Sir, (and the First Consul advanced two feet nearer to her)

es of the south, the theatres of the lofty deeds of the societies of Jesus
colleagues, in short, of royalist assassinations.'

First Consul was still bending, and engaged in tormenting a poet by
this phrase of Fouché he incontinently raised his head, and turning
as soon near the minister.

! Pardieu ! what are you telling me ? You give me the better of you ;
but I have been saying to you for an hour past. These monsters in hu-
re, who tuck up the sleeves of their shirts, when they have any, in or-
t off heads, or throw people into the water, would throw them into the
utcher of the Spanish inquisition, if the grand inquisitor would give
re than they procure by their robberies. Parbleu ! I know well that
e been royalist assassinations ; I might call them reprisals, and say that
ms of Avignon, the massacre of many individuals with whom I was par-
ticularly acquainted, although very young at the time, and whose morality I can
t excuse the subsequent murders ; but I will not say so. No-
t criminalise cruelty ; nothing can legitimate crime. Our beautiful revo-
lution the mother of those horrors. All the monstrosities of '93 will never
stain her robe of dazzling whiteness, when, conducted by liberty,
holding her by the hand, she came to deliver us, in '89, from our gall-
ry. People of bad faith, however, who love not the revolution, will
ound epochs and times ; it is impossible not to discern their respective
s. But there is only one mark for murderers and spillers of blood ;
on to them ! France wants no more of that régime, and anarchy is de-
clared by her in horror. An end must be put to the brigandage which
the interior of the republic. It is a remnant of the fatal epochs. Pub-
lic is menaced, and already even attacked in her most precious guaran-
ty member of the great family of society is at every instant injured in
of subsistence. Security is a bare word, and the most inoffensive be-
ing down at night, is uncertain whether he will breakfast the next
in his house. Look at that good Clement de Ris ! And all this hap-
pen the administration of a government which desires tranquillity and the
happiness. It must end. I am well aware that the Directory prepared
nothing, by the detestable manner in which it organized the provinces,
rather the pacification of La Vendée. But evil is not repaired by im-
to others. See now, the monsters, not content with attacking me, try
up an entire quarter of Paris. If the sentinel of the opera had not re-
sist, three thousand persons would have been mutilated, slaughtered,
the wretches wish my life. I repeat it, this must end. It is not at the
when the republic, every where victorious, dictates laws to her ene-
the very bosom of their countries, that she will suffer herself to be mur-

tory, not that it was a worse government for them than the Convention or even the Committees would have been, but because they are foes to all government. I know well the truth of all this, Citizen Consul; and the place which I occupy puts me in the way, more than any one else, of becoming acquainted with all these iniquities. But, whilst agreeing with you that some hundreds of hands are spread over the surface of France, in order to do the harm which we see them perpetrating, I say that the hell which vomited up those demons is not '33.'

"The First Consul shrugged his shoulders. 'And *le Militaire et le Turc*? Is the pen which wrote that beautiful effusion directed by England, or by all that is most furious in demagogical opinion?'

"Here is precisely, Citizen Consul, a support of my assertion: *Metge*, the author of the libel you have just named, is one of those men who show themselves in every great epoch. He resembles those prime clappers at the theatres, celebrated for causing the success or the failure of a new piece. They are hired by one author for one evening, and by another for the next. The two are enemies, but that matters not to the clapper. It is the same with such men as *Metge*. You are in a sphere, Citizen Consul, from which you do not perceive any of our political miseries. You behold nothing of what is disgusting; if I may use the term, in the arrangements it is necessary to make to prevent these fetid matters from exhaling too nauseous a smell. You have never had occasion to make use of *Metge*; and *Metge* loves you not, because he knows that from you he has nothing to expect but a prison. Accordingly he has opened wide his ears to the first words addressed to him, as well as his hands to receive the brightly burnished guineas which have been placed in them to induce him to indite the beautiful master-piece of '*le Turc et le Militaire Français*.'

"Allons! here you are again with your *English Committee*. Certain, I do not love England, that is to say, her cabinet; but I believe you do it injustice!

"Citizen Consul, I am not still so young as to allow myself to be misled away by the spirit of prejudice; I reason from facts. I have known *Metge* for a long period, in reference to which I can sum up my suspicions and doubt. *Metge* has no means of subsistence, and yet he incurs expenses, and daily expenses to no inconsiderable amount, which he liquidates immediately. What does he get the money? he must be in the pay of some of the enemies of the republic."

"But is there only England who can give money to trouble the tranquillity of the state? You are aware that suspicion has been strongly excited with regard to *Felix Lepelletier* and to *Antonnelle*; does not *Metge* associate with those men? Is it not known now, that this same *Metge* was acquainted with the whole affair of *Ceracchi*, *Diana*, *Demerville*, *Aréna*? It seems even that the dagger which he wore was to serve me on occasion, if he had found me in his way. But he is a vigorous fellow, that *Metge*; it appears that he defended himself as a lion. Where was he taken?"

"At the passage *Feydeau*: it was very late. The policemen charged with the duty of following him, arrested him first in the name of the law, without immediately securing his hands. He had time in consequence to seize a dagger which he always carries, and to strike the officer of police. He made several violent attempts to stab him, but happily only wounded him in the hand and wrist. One remarkable circumstance is, that for more than four months he has never slept two successive nights in the same place. He worked at *Montmartre*, in a little chamber. It is there that he composed the wretched pamphlet for which he received compensation so much above their value."

"At this moment, two members of the Tribunal entered. The First Consul welcomed them with remarkable graciousness, and the conversation was then continued in the same tone. One of the tribunes was *Duveynier*. The First Consul spoke to him about a report he was to make to the tribunate some days subsequently, in relation to the establishment of special criminal tribunals. These tribunals were particularly destined to punish immediately all the robbers and brigands who were desolating the roads of the republic, and who at length had proceeded to disturb the internal tranquillity of the cities. The First Consul adverted again to this topic, and spoke admirably upon it. It was at such mo-

the interesting subjects embraced by these volumes. The quantity of *available* matter contained in them is so great, that as much time almost has been occupied in determining on what to select, as in translating the extracts we have offered; and we are not confident now that these are the best which could be made. There are also various topics indicated or discussed by Madame d'Abrantès, which might furnish useful and pregnant themes for political disquisition—to do them adequate justice, however, would exact another article of at least the extent of the present.

ART. VIII.—CENTRAL AMERICA.

- 1.—*Guatemala, or the United Provinces of Central America, in 1827–28; being Sketches and Memorandums made during a twelve month's residence in that Republic.* By HENRY DUNN. 1828. 8vo. pp. 318.
- 2.—*Narrative of an Official Visit to Guatemala from Mexico.* By G. A. THOMPSON, Esq. *Late Secretary to His Britannic Majesty's Mexican Commission, and Commissioner to report to his Majesty's Government on the State of the Central Republic.* London: 1829. 12mo. pp. 528.

NEITHER praise nor censure is lavishly applicable to the work of Mr. Dunn. It is very much such a book, as might have been expected from such a man, under such circumstances. It contains, like all human productions, a mixture of good and bad; but its most striking feature is partially developed, in a brief preface, by an apologetical remark addressed to those readers “who will complain that the work is not more exclusively religious,” a remark which staggered us on the threshold, and for which we were, then, entirely unable to account. We are still at fault as to the feasibility of making an account of Central America “exclusively religious,” unless an author were to adopt, as a model, some of the old Catholic historians, such as Remesal, whose folio on Guatemala overflows with “religious” matter: or, Juarros, who with all his faults is the best historian of his country, and who was completely bloated with matter of the same character, until his judicious translator, Lieutenant J. Bailly, reduced his bulk by rescinding whole chapters, bearing such titles as—Of the metropolitan church of Guatemala, with a history of the image of Nuestra Señora del Socorro worshipped in it—Of the convents of Guatemala—Of the nunneries and religious

Hervey in 1824—that he enjoyed many advantages under Mr. Morier and Mr. Ward, and finally, that having been ordered to leave Mexico, after the treaty was signed by Messrs. Morier and Ward, for the purpose of proceeding to Guatemala to report to the British government on the state of that republic, he spared no pains to obtain the most authentic information respecting the country; and, moreover, that the historical and statistical account, which is added in a supplementary form, contains, he has no difficulty in asserting, much original, and he trusts, useful information. Let us bear in mind, also, the author's assurance, that he had not originally "the remotest idea of publishing," and although "he had taken short notes of the more particular incidents," it was chiefly "for his own gratification." Still he seems to have had a sort of consciousness that this book contained an inordinate quantum of trifling, from which awkward and uneasy sensation he appears to disentangle himself in a degree, by informing the reader that the "candid recital of incidents, trifling as they may abstractedly appear, often affords the best insight into the manners and feelings of a country," and then adding, that "those who have their notions of society trammelled by inveterate habits, and civilized prescriptions, may deem such incidents whimsical and frivolous, whilst others, of more expanded minds, may extract from them, as the greatest botanists do even from weeds, both instruction and amusement."

But since we have roundly charged the author of the "Official Visit" with frivolity, and as he seems himself to have certain misgivings, it is entirely fair to offer some examples, which we shall "extract" at random, as we hastily revolve the pages. It was on the 21st of April, in the year of our Lord 1825, that Mr. Thompson sallied forth from Mexico to pay his "Official Visit" to the capital of Central America. The first very memorable incident occurs at the town of Cuernavaca, where the Commandante joined the Guatemalan minister, Don Juan de Dios Mayorga, and Mr. Thompson, by invitation, at supper. Belonging to the travelling party, besides, were Don Mateo O——, a merchant, horses, mules, servants, and an escort of soldiers. At the supper table were seated Don Mateo, who sits below the salt, and the landlady's little daughter, about *eight years old*. Now it appears that previous to leaving Mexico, Mr. Thompson had got fitted up, in a hurry, a small *canteen*, furnished, principally, with tin and brass articles. The *tin* he holds up to the child, asking her what metal it was. She answers, as Mr. Thompson expects—*Plata*: he then shows her a *brass* saucepan, and asks what she thought that was; to which she answers, as the reader expects, *Oro*. The charm of this anecdote is, that it is common-place, that there is an agreeable obscurity in the manner in which it is applied—that it shows sagacity—and that it shows stupidity. All this sa-

gacity, or stupidity, nevertheless, would have been insufficient for the comprehension of one of Mr. Dunn's tracts!

Another incident of note is occasioned by one of the animals becoming restiff, or rather in consequence of a mule coming to a dead halt. This is by no means an unusual occurrence with this creature in all countries, and will be readily understood by the reader as the result of a certain trait of mulish character commonly called obstinacy; but what the author says, was what they there call "*Soleadad*," or sun-stricken. A soldier immediately breathes the obstinate vein, and administers a small glass of brandy, by pouring the distilment into the porches of the animals ears; and, presto! a cure ensues which ought to be recorded on a separate page in the annals of farriery. This reminds us of a famous cure for deafness, in the curious old book entitled—"A Thousand Notable Things."—"Earth wormes fried with goose grease, and a little thereof dropped warme into the deafe ear, doth helpe the same"—and the author quaintly adds—"this is true." But the reader asks, and very naturally, what has all this to do with an "Official Visit" to Guatemala?

At Tepecoaquileo the author puts up at Don Manuel Arazave's, who keeps the largest shop in the place. In this town, he purchases, unexpectedly, a pailful of ice, *eats heartily* of it, to use his own words, and sets the rest aside for a *bonne bouche* next morning, when (mirabile dictu) the ice, it was found, "had resolved itself into its liquid state;" or in plain English—had melted! We will not lessen the author's satisfaction at an agreeable discovery he afterwards makes, by attacking its truth, viz. "that the softer sex generally prefer a man of maturer years, with a pleasing cheerful address, to an insipid young one;" he shall enjoy that unction; but it is utterly impossible for us to pass over a mysterious passage, concerning Don Mateo's siesta, which baffled all our efforts at comprehension. "Don Mateo's siesta," says he, "which he could take, in general, with a precision, as to length and duration, that might regulate the sun, but, by which, it was, in fact, influenced, seemed to have slept faster than usual." This is the most formidable *snag* we encountered in the five hundred and twenty-eight winding and circuitous pages of this volume. Athanasius Kircher would scarcely have ventured a guess at this hieroglyphic sentence. We "give it up." Milton penned nothing so obscure, even when he describes those *persons* and *things** which go to the "Limbo of vanity,"—as passing—

"—the planets seven, and the fix'd,
And that crystallin sphere whose balance weighs
The trepidation talk'd, and that first moved."—

* *Quere*, Mr. T. and his book?

The author at length arrives at the capital of Guatemala, where he very soon after witnessed a cock fight, of which he speaks *con amore*, and with erudition calculated to confer dignity upon the sports of the pit. On a Sunday morning he had wandered about the city, where he met, to use his own language, "with an appearance of life and business, though in fact there was nothing doing; so that it was all bustle and vacuity, like a bee in an empty bottle." The feathered combatants joined issue in the after part of the day. "The birds," says the author, "were well matched, and their condition would have satisfied the learned and critical discernment of Columella himself. I could never witness the feats of these pugnacious creatures without feelings of respect for them; there is a tribute due to innate bravery, which no one can help feeling, whatever may be the moral propensities of the animal who possesses it; it is true, the bird of which we speak is a polygamist; but then, as the words have it, 'he is a kind husband, and a tender parent.' 'His tenderness,' says Aristophanes, 'towards his brood is such, that, contrary to the custom of many other males, he will scratch and provide for them with an assiduity almost equal to that of the hen; and his generosity is so great, that, on finding a hoard of meat, he will chuckle the hens together, and without touching one bit himself, will relinquish the whole of it to them.' He seems, however, on the other hand, to be the physical instrument in the menagerie of nature, to establish and sanction the power of might over right; a recommendation of very doubtful quality, were it not supported by the same author, who compares him in consequence to the King of Persia; and by the observation of Pliny, who says, '*imperator suo generi, et regnum, in quacumque sunt domo, exercent.*'" The author becomes quite classical on this topic; but he is not singular in his admiration. The cock is an animal entitled to admiration, and has ever been, indeed, a theme of eulogy. Voltaire compares a hen-roost to a monarchy, and declares there is no king comparable to a cock. If he marches haughtily and fiercely in the midst of his people, it is not out of vanity. If the enemy is advancing, he does not content himself with issuing an order to his subjects, to go and be killed for him, in virtue of his unfailing knowledge, and resistless power; he goes in person himself, ranges his young troops behind him, and fights to the last gasp. If he conquers, it is himself who sings the "Te Deum." In his civil or domestic life, there is nothing so gallant, so respectable, so disinterested. Whether he has in his royal beak a grain of corn, or a grub-worm, he bestows it on the first of his female subjects that comes within his presence. In short, Solomon in his harem was not to be compared to a cock in a farm yard! This tribute to chanticleer, the prolixity of which, we, impelled by bad example, have considerably augmented, is ex-

tience, by saying more than is necessary to substantiate our serious charges, nor would we be thought prompted by mere ill-nature; for whatever indignation we may have felt in being obliged to wade through so many impertinences, we confess we did find some valuable matter, but nothing to bear any proportion to the trash—eyots of information in an ocean of words—cases of sense and deserts of trifles! We do not hesitate to say, that it would be more tolerable for Mr. Dunn, in the hour of criticism; he was labouring in a very different vocation, and his sojourn in Central America was brief.

There is a tone of egotism, and a dash of affectation about this writer, which we admire not. For "my dictionary," we must read, *passim*, "my translation of Alcedo's dictionary." The constant repetition of the participle "being," in the idiom of a modern phrase, proves tedious and offensive. The supper is always *being cooked*—the house *being built*—shipments *being made ready*—boats are nearly *being upset*—and horrible piracies are daily *being committed*. We admit the expression to be "quite correct," but we complain that it is "too correct"—*finically correct*; it is the very prudery of style, at once stiff and inelegant. We desire to be plain—to call a fig, a fig—and a spade, a spade! There needs here neither innovation nor reform. We will continue to have our "suppers cooked"—our "houses built"—our "shipments made ready;" and shall be alarmed for any "boat nearly upset"—and still more when we learn that "horrible piracies are daily committed."

A single observation now, and we will then enter upon the main subjects of our inquiry. We commended the work of Jarros, and also the curtailed manner in which his translator presents him in an English dress; although, as a general rule, we disapprove of reducing and condensing good books. The mutilation of classics is a pernicious custom, fraught with more evil than it is intended to cure. It is like drawing the character of an individual and leaving out his vices. The system of filtering knowledge by abridgments is modern, and much to be deplored, though the multiplication of books would seem to render such a procedure indispensably necessary. We look upon abridgments, generally, as a species of concoction, by which the very life and soul of knowledge is boiled out. "Epitomes," says Lord Bacon, "are the corruption and moths, that have fretted and corroded many sound and excellent bodies of history, and reduced them

* Colonel Alcedo's "Diccionario Geografico Historico de las Indias Occidentales," was enlarged by compilation to its present size of five quarto volumes. The original, as the title imports, was confined to South America. The translation includes North America. It is too full of error to render it a safe book of consultation on any point.

† Voco ficum, ficum; et ligonem, ligonem.

to base and unprofitable drugs; whence all men of sound judgment declare the use of them ought to be banished."

But Juarros has thrown his materials together so carelessly, that his work abounds with repetitions. He is also too prone to take marvellous stories from Fuentes and others. Among these we might mention that which relates to gigantic human skeletons, of such dimensions, that the leg-bones alone measured upwards of five feet. These were found, it is said, in the province of Chiquimula, and the worthy author obliquely attempts to sustain the credibility of the relation, by quoting the sixth chapter of Genesis, and the seventeenth of First Kings, by adverting to Goliath, and lastly, by adducing a modern instance of one Martin Salmeron, who exhibited himself at Guatemala in the year of our Lord 1800, and was full seven feet two inches in stature.* He tells us also of a fountain in Chiapa, which regularly flowed during three years, and was then dry for a similar period;† of a rock which gave forth water, when any one *whistled for it*;‡ but he finishes his work by informing his readers of a much greater marvel—a grass-hopper or locust about a span long, in whose intestines is found a bunch of seeds, which, being sown, will produce a plant like the gourd, which will bear a fruit resembling small pompions, as yellow and brilliant as gold; the seeds of which, sown again, will produce similar fruit, but of a superior size." He thinks this will not be deemed impossible, when it is remembered that an animal will pass from the reptile to a volatic race, and that the hair, feathers, nails, &c. of animals, resemble the branches and foliage of trees. Above all, he says that "Francisco Fuentes has related the fact, and to be satisfied of its correctness only requires a reference to his work, in which he assures us that Thomas de Melgar, a venerable priest, whose credit is unimpeachable, tried the experiment, and found the result to accord precisely with what has been related."§

Guatemala or Guatimala,|| Mr. Dunn writes it this way, Mr. Thompson that, and the reader may determine, "which of the two

* Juarros, p. 309. † Ib. 483. ‡ Ib. 485. § Ib. p. 496.

|| Juarros says, "this kingdom received its name of Guatemala from the word *Guahtemali*, (which in the Mexican language means a decayed log of wood) because the Mexican Indians, who accompanied Alvarado, found, near the court of the kings of Kachiquel, an old worm-eaten tree, and gave this name to the capital. The Spaniards continued it to the city which they built; and from the city they gave the same appellation to the whole kingdom. Some writers have derived it from *U-hate-z-mal-ha*, words that, in the Tzendal language, signify a mountain which throws out water; doubtless alluding to the mountain on the skirts of which the city of Guatemala is built."—p. 6. Another etymology from Fuentes, deduces it from *Coctecmalan*, *milkuwood*, a tree found only near the site of the original city. And fourthly, Baily thinks the word may owe its origin to *Jiutemal*, eldest son of one of the earliest monarchs of this region.—Juarros p. 89, note.

to choose," occupies a geographical position of such importance as cannot fail to strike the most casual observer. Embracing the chief portion of the great American isthmus, whose narrowness has given birth to so many speculations, and seems to offer such facilities for effecting a junction between the two seas, this region has ever possessed a peculiar interest; an interest which must increase with the probabilities of accomplishing so gigantic an object. Of this, however, and of some very remarkable ruins found in Central America, we will speak hereafter.

Cortez having completed the conquest of Mexico, and being appointed by the Emperor Charles the Fifth, Governor and Captain-general of all the countries he might bring under subjection, sent Pedro de Alvarado,* who first penetrated Guatemala with three hundred Spaniards, and a large force of native auxiliaries, early in the year 1524. Alvarado, either personally or by his lieutenants, governed the newly acquired territories till 1541, the year in which he died; for the first four years, by commission from Cortez, and afterwards as Captain-general of the kingdom, by commission from Charles the Fifth. In 1542, it became a royal *audiencia*, and soon after, the tribunal was transferred to the city of Guatemala. It was next removed to Panama; but was finally established, in 1569, in the old position. Philip the second constituted it a pretorial court, independent of the Viceroy of Mexico. The royal chancery of Guatemala exercised jurisdiction on the Atlantic, from the coast of Balize to the Escudo de Veraguas, a small island off the coast of Veragua; and on the Pacific, from the river Parredon, in the province of Soconusco, to the mouth of the Boruca, in that of Costa Rica.† At the time of the conquest, according to Juarros, it was inhabited by thirty different nations.‡ At that period the population must have greatly decreased, for the same author says, that, by a census taken in 1778, the population was only 797,214. According to Hum-

* The venerable Las Casas, the Jeremiah of the new world, in his "Books of Cruelties done in the Indies," says, speaking of Alvarado's conquest of Guatemala, "he hath done to death, with his consorts and confreres, more than six or five millions of soules in fiftene or sixtene yeeres space, from the yeere 26 unto the yeere 40." "This tyrant had a custome," continues the lamentation, "when as he went to make warre upon any citie or province: to carrie thither of the Indians, already under-yoked, as many as hee could, to make warre upon the other Indians; and as he gave unto a ten or twenty thousand men, which hee led along, no sustenance, he allowed them to eate the Indians which they tooke. And so by this meanes he had in his campe an ordinary shambles of man's flesh, where in his presence they killed and rosted children. They killed men only to have off from them their hands and their feete, which parts they held to be the daintiest morsels." The same author tells us that at Panuco "it came to passe in his time, that there hath beene given for one more eight hundred Indians, soules partakers of reason."—See Purchas, his Pilgrimes, folio, vol. iv. p. 1579-80.

† Modern Traveller, Mex. and Guatem. vol. ii. p. 191.

‡ Juarros, p. 10.

boldt, in 1800 it had increased to 1,200,000.* A later account makes it 1,300,000.† And Mr. Thompson thinks that the present population, taken at the lowest possible calculation, amounts to 1,600,000.‡

This republic extends at present from about longitude $81^{\circ} 45'$ west, to 95° west; and from latitude 8° to 17° north. The boundaries are, Mexico on the north-west; on the north and east, the Atlantic; Colombia on the south-east; and on the south and south-west, the Pacific Ocean. It is of a triangular figure, and contains 16,740 square leagues, an area greater than that of Peru or Chile. "Its soil is of extraordinary variety, as to quality, altitude, temperature, and fruitfulness; and it yields, in consequence, all the productions of the frigid, temperate, and torrid zones."

After Guatemala had been founded, a series of troubles assailed the poor city, unprecedented in the annals of civic disasters. § It appeared as if heaven and earth had conspired to prevent its permanent foundation. Juarros gives a chronological account of the city in his wonted manner—*gemino ab ovo*—after the fashion of the illustrious Diedrick Knickerbocker's History of New-York. He tells us, that in the eighth century of the Christian era, Pope Zachary condemned as a heretic one Virgilius, for supporting the hypothesis of the antipodes; (no such doctrine was found in the Sacred Scriptures); but that the important problem was afterwards solved by Columbus. He then advances in historical order till the year 1524, the date of the foundation. But no rest was in store for the devoted town, the site of which was, afterwards, repeatedly changed, in consequence of a succession of calamities, to which the historian of Guatemala feels himself obliged to dedicate a separate and most lachrymose chapter. He says, that from the time the first transgressors were expelled from Paradise, miseries, misfortunes, and calamities, have formed a prominent part in every history; and that Guatemala is very far from being an exception to this universal rule. A whole phial is poured out. Pandora's box seems emptied here. Earthquakes, inundations, volcanic eruptions, tempests, pestilent epidemics, nova cohors februm, "gorgons, hydras, and chimæras dire,"

* Political Essay on New Spain, vol. iv. p. 322.

† Poinsett's Notes on Mexico, p. 239.

‡ Historical and Statistical Sketch of Guatemala, p. 480. At page 458, the same author gives us the following comparative table:—

	Square leagues.	Population.
Guatemala,	16,740	2,000,000
Peru,	12,150	1,400,000
Chile,	14,240	1,100,000

§ Las Casas says of this city, which was founded by the Spaniards—"they builded a citie, the which God of a juste judgment hath reversed with three overwhelms falling all three together; the one was with water, the other with earth, and the third with stones of the bignesse of ten or twentie oxen."—Purch. Pilg. v. iv. p. 1579.

swell the terrible list of awful visitations. In vain were processions formed, and religious ceremonies got up in the most solemn and approved style; even the images of favourite saints (and the people had some as celebrated as were ever worshipped, images of which they were justly proud, and in which they reposed most perfect confidence) seemed to have lost entirely, for a season, their efficacy. We except, however, one miracle which came to pass in 1686, when a dreadful plague swept away one tenth of the inhabitants. It is not mentioned by Juarros, but quoted by Bailly. The people, grievously alarmed at the frightful havoc, addressed prayers to the Virgin, and carried a certain image of great repute to the church of Calvary. The rogation continued three days; on the last day, about two o'clock in the afternoon, the face of the sacred effigy was perceived to be in a profuse perspiration; this prodigy was immediately certified officially by a couple of notaries who were present. From that day the pestilence ceased, and the sick recovered immediately.*

The present capital is situated in the plain of La Virgin, and forms part of the valley of Mixco, and in addition to an exemption from the foregoing ills, is said to enjoy numerous advantages.

At the close of the eighteenth century, this kingdom was governed by a captain-general appointed by Spain, and a royal audiencia. It had fifteen provinces—five on the Atlantic, five on the Pacific, and five in the interior. The ecclesiastical force consisted of an archbishop and three suffragans, four bishoprics, and two hundred and twenty curacies—there were twenty-three collected curacies of regulars, seven hundred and fifty-nine parochial churches, and four establishments for the conversion of infidels; on the other hand, the force military of the whole kingdom, it is said, consisted of only from thirty to fifty soldiers!

The nineteenth century opened with a new march of events. The spirit of independence had gone forth. The French invasion of Spain is the epoch from which all the revolutions of South America date. Revolutionary opinions were canvassed and gained ground; but nothing of moment occurred till 1808, when the Spanish constitution, re-established at home, was promulgated in Guatemala. In 1821 the government called a junta of all the authorities, and declared a total separation from the mother country; a general act of independence was published, while two parties immediately sprang up; one in favour of absolute independence of either Mexico or Spain, or even of a federative union of Guatemalan states; and the other in favour of the plan of Iguala, which, it is well known, proposed a Bourbon monarchy; but the latter party was neither so numerous nor so powerful as the former. In the mean time, Iturbide ascended the throne of

* Juarros, 152, n.

Mexico, and issued his manifesto to the Guatemalians, congratulated them on their independence, and kindly proposed to invade their country with a large army. The imperialists hailed the advent of their *Protector*. Filisola, as *gefe politico*, advanced the cause of the Emperor, but was ultimately defeated, and obliged to evacuate the territory. The deposition of Iturbide, which occurred soon after, removed all obstacles to a federation, the imperialists were confounded, and a constituent assembly installed on the 24th of June 1823. On the 21st of July of the same year, independence was declared, and the nation assumed the title of "The United Provinces of the Centre of America." Guatemala was now a sovereign state. The next year Colombia acknowledged its independence, and on the 3d of August its legation was duly received in the United States.

We cannot dwell on the political events of this distracted country since the promulgation of the constitution, and the inauguration of President, which took place in 1825. Civil discord, and a series of unhappy struggles, all having the desire of power for their cause, still continue to paralyse the nation. A moment's attention, however, will now be bestowed on some statistical particulars, for which we are indebted to the brief sketch of Guatemala by Mr. Thompson, consisting of about sixty pages, annexed to the Official Visit, and which we entirely exempt from the charges we brought against the major portion of the residue of his book.

In regard to the boundaries of Guatemala, three demands of political interest exist, viz. that of Mexico respecting the province of Chiapa, and until it is settled, the respective boundaries of the two republics cannot be defined; next, that of the Colombian government respecting the south-east coast of Honduras, from cape Gracias à Dios to Veragua, said to have been claimed in consequence of the decree of San Lorenzo in 1803, which joined it to Granada, and took it from Guatemala; and, lastly, that with Great Britain respecting the line of demarcation between the territories of that republic, and his Majesty's colony at Balize, who by the treaty of Versailles, dated 1786, were allowed to cut mahogany and logwood on that part of the Honduras coast.

"In the treaty alluded to" says Mr. Thompson, "there is no sovereign right made over to his Majesty to that territory, and I have understood that the boundaries between the settlement and the then Spanish colonies, now constituting the Guatemalan Republic, were never properly defined. It is unnecessary to add, that Guatemala would be naturally desirous of giving every facility towards the final adjustment of such boundaries, especially to a nation whom they so much look up to and respect as they do Great Britain; and that as far as they are concerned, they would not, of course, think of questioning any sovereign right, which, at any time, or under any circumstances, might possibly be claimed by His Britannic Majesty to the territory alluded to, and which is of far greater im-"

tance as a *dépôt* for the British trade with the American Republics, than is generally supposed."

The following table of the relative population of the new publics, gives the number of inhabitants to the square leagues.

Names of the States.	Square leagues.	Population.	Inhabitants to the square league
New Spain, - -	75,830	6,800,000	89
Guatemala, - -	16,740	2,000,000	119
Venezuela, - -	33,700	900,000	29
Granada, - -	58,250	1,800,000	
Peru, - -	12,150	1,400,000	115
Chile, - -	14,240	1,100,000	77
Buenos Ayres, -	126,770	2,000,000	15

The five states constituting the republic of Guatemala, are Guatemala, San Salvador, Honduras, Nicaragua, and Costa Rica. These are divided into forty-five *partidos* or districts, each having its capital or head settlement, and these again contain, besides the capitals, two hundred and fifty-three minor towns and villages. Very interesting tables are given of the different states, districts, and towns, with their respective productions and manufactures, from which it is deduced that the productions *common to the whole territory of Guatemala*, and therefore the sources of the present and prospective wealth of its towns, are, cochineal, indigo, tobacco, cotton, wheat, maize, &c. — that it has a few manufactures, and that the Sierras contain mineral and precious stones. For an account of the financial and commercial concerns of the country, and for other interesting statistical matter, we refer the reader to the sketch of which we have already spoken. For the amusement of the curious in human varieties, we give the following table of denominations of fifteen castes of *mesclados* or *mustees*, taken by the author from a picture gallery at San Angel, near Mexico.

Mestisa,	born of a Spaniard and Indian woman.
Castisa,	a Mestisa woman and Spaniard.
Española,	a Castiso and Spanish woman.
Mulato,	a Spanish woman and negro.
Morisco,	a Mulato woman and Spaniard.
Albina,	a Morisco and Spanish woman.
Tornatras,	an Albino and Spanish woman.
Tenteenelaire,	a Tornatras and Spanish woman.
Lovo,	an Indian woman and negro.
Caribujo,	an Indian woman and Lovo.
Barsino,	a Coyote and Mulato woman.
Grifo,	a Negro woman and Lovo.
Albarazado,	a Coyote and Indian woman.
Charrisa,	a Mestisa woman and Indian.
Mechino,	a Lova woman and Coyote.

Gulf; and as these two conditions do not coincide to such a degree as to allow uninterrupted navigation, it is very probable that these canals, though highly useful and necessary for the commercial prosperity of Egypt, would produce no great revolution in the East India trade.* The isthmus of Suez is now about seventy miles wide; Malte Brun makes the surface of the Mediterranean about thirty feet lower than the water in the Gulf of Suez; and Humboldt says the French engineers found it only six toises, or about twenty feet.†

But it is asked what are the vast advantages which the project promises? To this it has been answered, that the advantages of the junction are as various as the numerous branches of trade which would be either facilitated or called into existence. The intercourse of Europe and America would be immensely augmented; the South Sea trade, the Whale fisheries, the facilities for working the mines in the central provinces, in Chile and Peru, would be increased; and the voyage to the East Indies, China, and the islands in those remote seas, would be shortened in a remarkable degree; besides saving so much time, and avoiding so many risks incurred by the circumnavigation of the two great Southern Capes. *The whole of these trades, it is observed, would be carried on through the new channel.‡*

* Malte Brun v. iii. p. 443.

† Polit. Es. on N. S. v. i. p. 32.

‡ "We are tempted to dwell," says the Edinburg Review, "for a month, upon the prospects which the accomplishment of this splendid, but not distant enterprise, opens to our nation. It is not merely the immense commerce of the western shores of America, extending almost from pole to pole, that is brought, as it were, to our door; it is not the intrinsically important, though comparatively moderate branch of our commerce, that of the South Sea Whalers, that will alone undergo a complete revolution, by saving the tedious and dangerous voyage round Cape Horn:—the whole of those immense interests which we hold deposited in the regions of Asia, become augmented in value, to a degree which at present, it is not easy to conceive, by obtaining direct access to them across the Pacific Ocean. It is the same thing, as if by some great revolution of the globe, our eastern possessions were brought nearer to us. The voyage across the Pacific, the winds both for the eastern and western passage being fair and constant, is so expeditious and steady, that the arrival of the ships may be calculated almost with the accuracy of a mail-coach. Immense would be the traffic which would immediately begin to cover that ocean, by denomination Pacific. All the riches of India and of China would move towards America. The riches of Europe and America would move towards Asia. Vast depôts would be formed at the great commercial towns, which would immediately arise at the two extremities of the central canal:—the goods would be in a course of perpetual passage from one depôt to the other; and would be received by the ships, as they sailed, which were prepared to convey them to their ultimate destination.

"Is it too much to hope, that China and Japan themselves, thus brought so much nearer the influence of European civilization, much more constantly and powerfully subject to its operation, would not be able to resist the salutary impression, but would soon receive important changes in ideas, arts, manners, and institutions? The hope rests, at least, on such strong foundations, that it seems to rise even to certainty;—and then, what glorious results might be expected from the whole of Asia, that vast proportion of the earth, which, even in its most favoured parts, has been in all ages condemned to semi-barbarism, and the mis-

This subject attracted the attention of Humboldt, whose genius pervaded all New Spain, (under which denomination was formerly included Guatemala) few subjects connected with which interesting country escaped his sagacity. It should be borne in mind, however, that this eminent traveller visited New Spain under restrictions of a peculiar kind. Spain waved her jealousy in his favour, and granted him a permission conceded to none else. Of this permission, the Baron was a man of too much honour to take an improper advantage. Accordingly, the confidence which under other circumstances would naturally be yielded to him, must on particular points be given with some grains of allowance, since a principle of delicacy forbade his speaking on certain matters, while on other occasions, it prompted him to promulge no other opinions than those which harmonized with the policy of the Spanish government.

Humboldt presents nine different points, which at various times have fixed attention, and which offer greater or less probability either of canal or interior river communication. These we will briefly enumerate. And first,

In $54^{\circ} 37'$ of north latitude, the sources of the river of Peace Ounigah approach within seven leagues of the Tacoutche case, supposed to be the same as the Columbia river. The first disembogues into the Northern Ocean through the Slave lake and Mackenzie river; the second, or Columbia, enters the Pacific to the south of Nootka Sound.

Second. In latitude 40° north, the Rio del Norte, or Rio Bravo, which flows into the Gulf of Mexico, is only separated from the Colorado by a mountainous tract of from twelve to thirteen leagues in breadth.

Third. In 16° north latitude, the Isthmus of Tehuantepec comprises the sources of the Huasacualco, which is discharged into the Gulf of Mexico, and the sources of the Chimalapa, the waters of which last mix with those of the Pacific near the bar of St. Francisco. In the year 1800, a road was completed from the port of Tehuantepec, by means of which the Huasacualco formed in reality a commercial communication between the two oceans.

Fourth. The great lake of Nicaragua communicates not only with the lake of Leon or Managua, but also on the east with the Atlantic. A canal, he supposes, might be cut either across the isthmus which separates the lake from the Gulf of Papagayo, or

ries of despotic power? One thing, at least, is certain, that South America, which stands so much in need of industrious inhabitants, would receive myriads of laborious Chinese, who already swarm in all parts of the eastern Archipelago in quest of employment and of food. This, to her, would be an ⁱⁿ⁻credible importance: and the connexion thus formed between the two would still further tend to accelerate the acquisition of enlightened manners in China herself.—Vol. xiii. p. 285. January, 11

through lake Leon, across to the river Tosta. Of these, however, we will have occasion to speak more diffusely hereafter.

Fifth. By the Isthmus of Panama by means of the Chagres, or direct to Porto Bello, or by other routes in this region, which are discussed at some length in the Political Essay.

Sixth. South-east of Panama, on the Pacific, between Cape St. Miguel and Corrientes, is the port and bay of Cupica. From Cupica, for several leagues, extends a route quite level and proper for a canal to the river Naipi, flowing into the Atrato, which itself enters the Atlantic. "We might almost say," remarks Humboldt, "that the ground between Cupica and the mouth of the Atrato, is the only part of all America where the chain of the Andes is entirely broken."* This appears to be a mistake, since the author notices that the river St. Juan which falls into the Pacific, and the Atrato into the Caribbean Sea, offer by the Raspadura an unbroken navigation from sea to sea; of course the chain of the Andes is broken here.

Seventh. In the interior of the province of Choco, a small ravine unites the river St. Juan and the small river Quito. This, in conjunction with several others, forms the Atrato, which discharges into the Atlantic, while the St. Juan flows into the South Sea. It is a very remarkable fact, and now well known, that a monk of Novita employed his parishioners to dig a small canal in the ravine of Raspadura, by means of which, when the rains were abundant, canoes loaded with cacao *passed from sea to sea!* This communication is said, by Humboldt, to have existed from 1788, entirely unknown in Europe; but the fact is, it was known more than a century, and thus it appears that a canal communication has actually existed here, uniting on the opposite coasts, points seventy-five leagues distant.

Eighth. To the north of Lima, in Peru, is the river Guallego or Huallaga. The sources of the Huanaco, which runs into the latter, are only about five leagues from the Huaru, which flows into the Pacific. The nature of the ground here renders a canal impracticable; but a road from the capital of Peru to the Huanaco, would facilitate the transport of goods to Europe. By this channel, the productions of Peru might be carried to the Grand Para, in Brazil, one of the mouths of the river Amazon, in five weeks, while a voyage round Cape Horn would require, perhaps, six many months.

Ninth. The last project was based upon the supposition that the Bay of St. George, on the east coast of Patagonia, penetrated farther into the land than subsequent investigation proved to be correct. Consequently, there is no occasion to dwell upon this section. In a retrospect of these points of communication be-

* Pol. Es. vol. i. p. 40.

tween the two oceans, by the junction of the neighbouring rivers either by canals or carriage roads, Humboldt recommends a survey of the Isthmus of Guasacualco, the lake Nicaragua, the region between Cruces on the Chagres, and Panama, and between Cupica and the river Naipi, as a means which would enable us to make an election whether this gigantic undertaking should be executed at Mexico or Darien; an undertaking calculated to immortalize the government by whom it may be carried into effect.

Of all these schemes, that by the lake of Nicaragua seems to have offered most facilities, and to have occupied the greatest share of recent attention. Accordingly, sundry plans were set on foot by English capitalists, and an association formed for cutting a canal between lake Leon and the river Tosta. From the prospectus of the committee, it appears that this line was long known, and deemed practicable, but was concealed by the policy of Spain, and that the drawings relating to it were obtained accidentally by a gentleman residing at the Court of Madrid. These documents state, that in the province of Nicaragua, in $10^{\circ} 10'$ north latitude, the River San Juan falls into the Atlantic Ocean; that it is navigable from the sea to the lake for ships of two hundred or three hundred tons burden; but that it may be made navigable for the largest vessels, the passage being at present obstructed by ships sunk by the Spaniards for the purpose of preventing the intrusion of foreign navigators.

Another line of communication specified by the document, is presented from the lake Leon, on the southern shores of which is situated the town of Tipitapa. From hence a canal might be cut into another river of the name of San Juan, which empties into the Pacific by the port of that name, in the Gulf of Papagayo. The distance from the lake Leon to where the cut would strike the San Juan, is twelve miles; the whole distance to the Pacific about thirty.

But the river San Juan has been represented as innavigable for large ships, and maps and charts of South America have so described it. Nothing is more fallacious; for it is a well known fact, that the Spaniards prohibited the navigation of this river under penalty of death, that they sank hulks, and fortified its entrance. It is also well known, adds the document, that Spain has often wilfully misdescribed the nature of some of her South American colonies, to prevent the intrusion of other nations; and only since the establishment of the independence of those countries, could foreigners land on their shores. From the estimates made by the company, it was calculated that the profits to accrue from the tolls of vessels passing and repassing, would be sufficient, after defraying all expenses, to replace, in the course of ten years, the original capital, besides giving in the interim a considerable dividend.

About this time, Mr. Thompson informs us, there were two companies formed in England, for the general purposes of effecting by steam navigation or otherwise, a water communication between the oceans. Proposals were made, bearing date the 8th September 1824, to accomplish this at the point in question, by some British merchants, without any expense to the government, provided the latter would give the projectors every necessary assistance. On the 2nd of February 1825, other propositions were made by some merchants of the United States, and signed by Colonel Charles Bourke and Mr. Matthew Llanos. The terms proposed to give to the government, it is said, twenty per cent. on the annual product of the tolls to be paid by vessels passing through the canal, and after the expiration of a specific term, the canal was to become the exclusive property of the government. The conditions required were; first—An exclusive privilege for the purpose. Second—An exclusive privilege for navigation by steam boats on the rivers, and on the waters of the three provinces, as far as the lake where the said canal is to be opened. Third—Permission to cut wood in the said province. Fourth—Exemption from duty on the introduction of goods, on account of the company, until the canal be completed.

"Of the above propositions," says Mr. T. "on the part of Messrs. Barclay and Co., and of the merchants of the United States, no specific notice appears to have been taken; but on the 16th June 1825, the Congress passed a decree, which obtained the approbation of the Senate on the 11th July, and was confirmed by the executive on the 12th of that month, which promises the sanction and assistance of the state to any parties who would undertake the project, and to recognise, as a public debt, the money expended in the execution of it. The passage dues to be applied to paying off the capital sunk in its opening, and to satisfy the interest thereon, deducting, first, the expenses which the republic of the said canal shall require, the costs of collecting the dues, and of a guard for its defence; the navigation to be free to all nations, friendly or neutral, without any privilege or exclusion.

"On the 1st August, 1825, the executive extended the time for receiving proposals to six months longer. The consequence has been that the projectors have before stated, stepped in and possessed themselves of the ground. When I left the republic, I felt assured that it would have been carried into execution by the British, and I cannot suppress my mortification that it should have the exclusive honour, to say nothing of the advantage, of being an enterprise;—for it is one which can be but *once* effected amidst the achievements of eventful time."

Mr. Thompson has given us a valuable chart, showing the positions and divisions of the five states of Central America, accompanied by an ideal sketch, pointing out the facility with which a water communication may be made between the oceans, by the port of San Juan, in the Pacific; the navigation of the lake on the opposite side being assumed as perfect. He has also obtained a "*Table of Levels*," taken between the Lake and the South Sea, from which it appears that the former is forty-four yards, Spanish, and a fraction

of the other. It is also remarked, that although, in all the maps extant, the intervening tract is represented as mountainous, the greatest actual height of the land is only 19 feet 1 inch. The distance between the lake and the sea, at the proposed communication, is only 4 leagues, 4687 yards, of 7000 yards Spanish to the league.*

Here let us pause a moment. We stated above, that Mr. Thompson's mysterious observation upon Don Mateo's siesta was the most formidable and obscure passage in his book; but we are now compelled to give up that first impression in favour of the pre-eminent obscurity of the "Table of Levels." We are not familiar with the Shibboleth of topography, but we must be permitted to express a shrewd doubt whether any engineer could make Mr. Thompson's "Table of Levels" quadrate with common sense. We would not willingly tire the reader with "sums in Gibraltar;" but the arithmetical confusion is so inextricable, that we believe the author understood the matter no better than we do ourselves. If the levels commence at the South Sea, as is expressed, and if the caption of descents and ascents be correct, then instead of the lake being 133 feet 11 inches and 7 lines† above the surface or level of the South Sea, it must needs be that number of feet, inches, and lines, below it; but the fact is, the present results could only have been obtained by inverting the caption, or substituting ascents and descents for descents and ascents. Again, if the levels were really begun at the South Sea, and the caption be correct, the land at level 219, which is set down at 19 feet 1 inch above the level of the lake, is 365 feet 1 inch and 2 lines below that point, or 233 feet 5 inches and 8 lines below the South Sea, which is hardly probable; but if, on the other hand, the descents and ascents be inverted, with the same condition of commencing at the South Sea, the level 219 is 101 feet 10 inches and 2 lines above the lake, or 233 feet 5 inches and 8 lines above the South Sea.

But to return—looking at the isthmus, which is the true point of separation between North and South America, and destined, at some day, not remote, to become the medium of as great a revolution in the channels of commerce—by means of a canal between the two great oceans—as that produced by the doubling of the African capes; it produces surprise that there is no accurate, or even plausible account of its topography. The Spanish policy was, no doubt, successful in this, but the accounts published since the revolution have not improved upon what was generally known before; and in fact the earliest public accounts we have, those of

* Appendix to Hist. and Stat. Sketch, p. 520.

† The difference, by the way, of this sum of descents and ascents, should be 131 feet 7 inches and 6 lines, instead of 133 feet 11 inches and 7 lines. But Heaven defend us from such a labyrinth of blunders!

Dampier and Wafer, in 1691, are more satisfactory than any to be found in more than twenty professed expositions. It may subserve literary inquiry, since no complete exhibition has yet been published, to know some historical facts in relation to it.

A survey was made by authorized Spanish officers, but never published, in 1582

Dampier and Lionel Wafer describe the bay of Panama and its topography, in 1691

An account published by Sharp and Funnell, in - 1701

An account by Don Ulloa, very defective, in 1721

A work containing thirty-two maps, and a survey, captured from the Spaniards, and published by Jeffries, in London, in 1761

An account by Bryan Edwards, in his History of the West Indies, 1791

A survey was made, with a view to internal navigation, by the Engineer Manuel Galisto, under the Intendency of Don Galvez, 1781

Humboldt's first account, in his History of New Spain, 1801

Humboldt's second account, in his Personal Narrative, 1801

A Spanish hydrographical chart, prepared in Spain, but suppressed, 1801

Walton's account, very defective, 1801

Interesting particulars in the Edinburgh Review, from which we made a large extract in a note above, for January. (supra, 226) 1801

W. D. Robinson's account, compiled, 1801

Captain Hall's partial account, 1801

A proposal made by an American to the Colombian Government, with a plan, but not published, 1801

A proposal by Mr. Ripley, an American, with a plan for a canal by Cupica, 1801

Captain Cockrane's account, in his travels, very delusive, 1801

A project of Hislop & Co., a mercantile house of Jamaica, who sent surveyors, but they were expelled, 1801

Purdy's imperfect account, 1801

Bourke and Llanos's, of which we spoke above, 1801

Pitman's compilation of various accounts and projects, very defective and contradictory, 1801

A report made to the Royal Society of London, (not published,) 1801

These embrace, we believe, nearly all the published accounts in relation to the designs of a canal; but many points of interest are said to exist, by which a canal would be practicable at half the expense, and without a tenth of the difficulties, b

which the canal between the two seas was constructed in Scotland.

The subject which next engages attention, is that of antiquities, touching which we will offer a few particulars, such as our limited space permits. On a former occasion, we observed, that all America, both North and South, abounded with archæological remains, and we made particular allusion to Central America.* Very few portions of the New World have been so satisfactorily examined as New Spain, a denomination, which, as was said before, included Guatemala. The learned researches of Humboldt have brought us acquainted with a prodigious number of remarkable objects in Mexico, and it is to be regretted that no more of his time was devoted to the examination of the region of Guatemala; for though the connexion of the two countries was always, even before the conquest, very intimate, yet of the one we know much; while of the other we still remain exceedingly ignorant.

We know enough of the civilized nations who inhabited this continent anterior to the Spanish conquest, to inflame curiosity, and to make us also deeply deplore the exuberance of fanatical folly, which impelled the Spaniards to destroy all the annals, and records, and monuments of the Americans, on which they could lay their Vandal hands. Some of these, however, were indestructible, and others, fortunately, escaped the fury of Bishop Zamaraga, a monk, the Spanish Omar—who undertook the annihilation of whatever related to the worship, antiquities, and history of America. At a later period, the Chevalier Boturini, a Milanese, inspired with an ardent desire of investigating the antiquities, and anxious to preserve what might have survived the flame of religious persecution, visited this country, and collected invaluable materials. The student who reads the catalogue of the Chevalier's "*Musèò Indiano*," printed at the end of his admirable work, will deplore the jaundiced and suspicious policy of Spain, which, on an idle imagination, flung this philosopher in irons, and deprived the world of the fruits of his labour. He was subsequently released, and declared innocent, but he never recovered his property. Humboldt relates, that these valuable relics were preserved with so little care, "that there scarcely exists at present an eighth part of the hieroglyphical manuscripts taken from the Italian traveller." It is impossible to contemplate so serious a loss without emotions of poignant regret. From the native authors alone, could sufficient light be expected, to clear up the obscurity which invested the history of the New World, or as Boturini himself emphatically says, "*en una noche tan obscura, en un mar de tantas literarias tormentas, en tantos*

* American Quarterly, Sept. 1831—p. 152.

escollos de dificultades, no hallé otra luz, otra calma, otro puerto, que en las historias de los mismos Indios.”*

The great question concerning the original of the population of America, which has now nearly ceased to agitate the learned world, it is observed, is not properly the province of history; and it is a remarkable fact, that in every corner of the earth, and at every period of time, have been found people who regarded themselves as autochthones. Obscure aboriginal traditions of the New World, constantly point back to a remote original from the Old; and though the respective languages supply feeble traces of ancient communication, yet the connexion is convincingly illustrated by the cosmogonies, the monuments, the hieroglyphics, and institutions, of the Americans and the Asiatics. It is singular that no historical fact or tradition connects the natives of South America with those north of the isthmus of Panama, and the annals of the Mexican empire ascend to the sixth century of the Christian era; yet their respective political and religious histories are fraught with extraordinary coincidences. Men with beards, and clearer complexions than any American nation, suddenly made their appearance, their place of birth unknown, bearing the titles of priests, legislators, and friends of peace and the arts, and created miraculous changes in the policy of these different people. Quetzalcoatl, Bochica, and Manco Capac, are the sacred titles borne by these venerated and mysterious beings, whose history is intermixed with miracles, religious fictions, and allegories. Some learned writers supposed these personages to be descendants of those Scandinavians who in the eleventh century visited Greenland, Newfoundland, and, perhaps, Nova Scotia; but Humboldt thinks every consideration leads us rather to look towards Eastern Asia for their original.†

Humboldt dwells upon whatever tends to throw light upon the analogies of the two worlds, in the latter of which, surprise was not a little excited by discovering, at the period of the conquest, those ancient institutions, religious notions, and style of architecture, which in Asia belonged to the dawn of civilization. He gives us, for example, in one of the plates, the statue of an Aztec priestess, a piece of sculpture in Basalt, in which several things are worthy to be noted. The head-dress resembles the calantica or veil of the heads of Isis, the Sphinxes, Antinous, and other Egyptian relics, and the greatest analogy exists between it and the plaited drapery encircling the heads incrustated on the pillars of Tentyra. The forehead of the figure is ornamented with a string of pearls, which, as they have never been observed on any Egyptian statue, plainly show a communication between the ancient Mexicans and California, where pearls abound.

* *Idea de una Nueva Hist. General de la Am. Septentrional*, p. 110.

† *Recherches*, Introduction, *passim*.

The *pyramidal* structures, or *teocallis*, found in this country, are very remarkable, and resemble the Babylonian monuments described by Herodotus and Diodorus Siculus. "Among those swarms of nations," says the same learned writer, "which, from the seventh to the twelfth century of the Christian era, successively inhabited the country of Mexico, five are enumerated—the Toltecs, Cicimecs, Acolhuans, Tlascaltecs, and the Aztecs, who, notwithstanding their political divisions, spoke the same language, followed the same worship, and built *pyramidal* edifices, which they regarded as *teocallis*, that is to say, the houses of their Gods." The Aztecs or Mexicans, who took possession of the Equinoctial region of New Spain in 1190, attributed these edifices to the Toltecs, who occupied the same country five hundred years earlier. The fact is, they knew no people anterior to the Toltecs, who were a powerful and civilized race; and it is conceived by no means impossible, that these pyramids may have been constructed prior to the Toltec invasion, which happened about the middle of the seventh century of our era. Humboldt remarks, that we need not be surprised that no American annals precede the seventh century; and that the history of the Toltecs should be as uncertain as that of the Pelasgi and Ausonians; for a learned author has proved that the history of the North of Europe reaches only to the tenth century, an epoch when Mexico was more civilized than Denmark, Sweden, and Russia. The Aztecs built *teocallis* on the model of those they found; these were almost entirely destroyed by the Spaniards, who did not, however, succeed in obliterating the Toltec monuments, among which the pyramid of Cholula is the greatest, most ancient, and most celebrated. Its basis is twice as great as that of the pyramid of Cheops; but its height is represented as little more than the pyramid of Mycerinus. In its interior have been discovered cavities, used as sepulchres, similar to those which have been discovered in the Egyptian pyramids.

This great Cholulan monument had originally an altar on its top, dedicated to Quetzaleoatl, whom we have already mentioned. He was the Saturn of Anahuac or Mexico, and his reign formed the Golden Age of that country. He is said to have governed the Mexicans during twenty happy years, at the expiration of which he disappeared, having previously assured them he would return and renew their felicity. It was the posterity of this saint, says Humboldt, whom the unhappy Montezuma thought he recognised in the soldiers of Cortez. "We know by our books," said he in his first interview with the Spanish General, "that myself and those who inhabit this country are not natives, but strangers who came from a great distance. We know, also, that the chief who led our ancestors hither, returned for a certain time to his primitive country, and thence came back to

those who were here established. He found them married to the women of this land, having a numerous posterity, and living in cities which they had built. Our ancestors hearkened not to their ancient masters, and he returned alone. We have always believed that his descendants would one day come to take possession of this country. Since you arrive from that region where the sun rises, and as you assure me you have long known us, I cannot doubt but that the king who sends you is our natural master.* One thing, however, appears to be tolerably well settled, which is, that the Toltecs inhabited Mexico in the seventh century. They came, it is said, from the North; but whence? There are traces of migration in California. By whom, however, was the Northern part of the continent, the officina virorum of America peopled? It is here that the connecting link is gone; and the obscurity, as Humboldt remarks, which envelops the Mongul and Tartar tribes, seems to extend over the whole history of the new continent.

The present inquiry opens too extensive a field for our limits, and in consequence, does not permit us even to allude to various antique dilapidations and vestiges of ancient cities, which stud the whole region of New Spain; we shall therefore be constrained to restrict our attention to the remains of an ancient city, called by the Spaniards *El Palenque*, concerning which numerous authors have spoken; but which is found more minutely described in the curious "Report" (penes nos) of Don Antonio del Rio.†

Remesal relates, that anciently some nations emigrated from the region of Nicaragua, and squatted in the province of Chiapa.‡ Juarros quotes from Nuñez de la Vega, who was bishop of Chiapa at the end of the 17th century, in whose "Diocesan Constitutions" are preserved some curious particulars connected with *Votan*, who makes so distinguished a figure in the mythological history of Guatemala. The bishop mentions, that among these ancient calendars and historical documents, which fell into his hands, he finds the names of twenty founders of families, as Ninus or Mox, Ygh, *Votan*, Ghanan, &c. &c. Among these, *Votan* is decidedly the most extraordinary personage, and a separate book, written by *Votan* himself, giving his autobiography, is noticed. In the preface to his "Constitutions," Vega says,

* Researches, vol. i. p. 94; and first letter of Cortez to Charles the Fifth. Sections 21 and 29.

† This "Report" was published in London, 1822, in quarto; and is entitled "Description of the Ruins of an ancient city, discovered near Palenque, in the kingdom of Guatemala, in Spanish America; translated from the original MS. Report of Captain Don Antonio Del Rio; followed by 'Teatro Critico Americano;' or, a critical investigation and research into the history of the Americans, by Dr. Paul Felix Cabrera, of the city of New Guatemala."

‡ Hist. de la Provincia de Chiapa, y Guatemala, fol. p. 264.

that Votan is the third Gentile placed in the *calendars*; he wrote a historical tract in the Indian idiom, in which he gives an account of the places and nations he had visited, and that up to that time there remained in Teopixca some of his descendants. Votan says of himself, that he beheld the mighty wall or edifice, (meaning the tower of Babel,) which, by command of Noah, his grandfather, was built from earth to heaven; and that God appointed him to visit America, and divide the land; and that at Babel a different language was given to every nation.* Humboldt notices these ancient traditions of the aboriginals of Guatemala, and is particularly struck with the analogy between the names of Votan and the Scandinavian Wodan or Odin.†

But who this Votan is, whether a real or emblematic personage; or whether he came from Scandinavia, from Egypt, or from Tripoli, is equally difficult to determine. One fact, however, is incontrovertible, namely, that Guatemala was inhabited at an exceedingly remote period by polished nations, who, according to Juarros and others, appear to have had some connexion with Egypt, as the sumptuous cities of Culhuacan and Tula, vestiges of which remain near Palenque and Ocosingo, abundantly demonstrate. It is evident, says the same author, that Culhuacan once rivaled in magnificence the most celebrated capitals of the old world. Stately temples, in which many hieroglyphics, symbols, devices, and mythological traces, have resisted the effects of time; portions of superb palaces still remain; and an aqueduct of sufficient dimensions for a man to walk upright in, yet exists almost entire.‡

The same author, speaking of the vestiges of Palenque, says, it was, doubtless, the capital of an empire whose history no longer exists. This metropolis, he continues, like another Herculaneum, not indeed overwhelmed by the torrent of another Vesuvius, but concealed for ages in the midst of a vast desert, remained unknown till the middle of the eighteenth century, when some Spaniards, having penetrated the dreary solitude, found themselves, to their great astonishment, within sight of the remains of what had been a superb city, of six leagues of circumference; the solidity of its edifices, the stateliness of its palaces, and the magnificence of its public works, were not surpassed in importance by its vast extent; temples, altars, deities, sculptures, and monumental stones, bear testimony to its great antiquity. The hieroglyphics, symbols, and emblems, bear such a resemblance to those of Egypt, as to encourage the supposition that a colony of that nation may have founded the city of Palenque, or Culhu-

* Boturini, *Idea*, &c. p. 114. See, also, Juar. 208. And Cabrera, in *Del Rio*, p. 30.

† Humb. *Bes.* v. i. p. 173.

‡ Juarros, p. 209.

acan. The same opinion may be formed of Tula, the ruins of which are still visible near Ocosingo.*

In consequence of this discovery, Captain Antonio Del Rio was ordered by the Spanish government to proceed thither, and make another examination of these ruins, the result of which was given in the "Report" of that officer, submitted in the following year. The translator of the Report informs us, that the original MS. was deposited among the archives of the city of New Guatemala, where it might have lain in oblivion forever, had not the political revolution in that country brought it to light.

In obedience to his instructions, Captain Del Rio repaired to the spot, where he arrived on the 3d of May, 1787, and on the 5th, proceeded to the site of the ruined city, there called *Casa de piedras*, (stone houses.) The first essay was accompanied by great difficulties; a dense fog impeded their operations, by which also the main building, surrounded by copse wood, and huge trees in full foliage, and interwoven, was concealed from view. This compelled the party to return, and an order was issued, requiring two hundred Indians, well furnished with implements; by the aid of whom, and by felling, firing, and excavating, there soon remained neither a window nor a door-way blocked up, a partition that was not thrown down, nor a room, corridor, court, tower, nor subterranean passage, in which excavations were not effected from two to three yards in depth.

From Palenque, the last town northward in Chiapa in a south-westerly direction, on a ridge that divides Guatemala from Yucatan or Campeachy, at the distance of six miles, is the little river Micol, about half a league beyond which the ruins are discovered, which obstruct the road for another half league, after which the height is gained whereon the "stone houses" are situated, fourteen in number, some more dilapidated than others, but still having many of their apartments perfectly discernible.

A rectangular area, nine hundred feet in breadth, by thirteen hundred feet long, presents a plain at the base of the highest mountain of the ridge, and in the centre is the largest of these structures, standing on a mound sixty feet high, and surrounded by the other edifices; namely, five to the northward, four to the southward, one to the south-east, and three to the eastward. In all directions the fragments of other fallen buildings are to be seen; the whole range of the ruins being computed to extend from twenty to twenty-five miles, though the breadth is comparatively small. From a similarity in the choice of situations, as well as in a subterranean stone aqueduct, very solid and durable, which passes under the largest building, Del Rio thinks there is some ground for hazarding a conjecture that the Romans may

* Juarros, p. 18.



have visited these regions, and that the natives may have imbibed, during their stay, an idea of the arts.

The eligible locality, the fertility of the soil, and the abundance of every thing necessary to comfort and tranquillity; the quantity of fish found in the numerous navigable streams, and the laborious workmanship of their buildings, constructed without the use of iron or other metals, justify the belief that they lived peaceably, and enjoyed truer felicity than is now to be found in the concentrated luxuries of modern cities. There is reason to believe that they kept up an intercourse with their neighbours, and that their chief commerce was carried on with the kingdom of Yucatan. This is inferred from the uniformity and resemblance in their respective buildings, and from other monuments and vestiges, which plainly show that the two nations differed in a very slight degree; in proof of which the author cites the description given him by Thomas de Soza, a Franciscan friar, of various ruins near Merida in Yucatan, which clearly prove the identity of the people of that kingdom and the ancient Palencians.

The interior architecture of the large building, strongly resembles the Gothic. The entrance is on the east side, by a portico or corridor one hundred and eight feet in length, by nine feet broad, supported by plain rectangular pillars, without bases or pedestals, upon which there are square smooth stones more than a foot thick, forming an architrave, while on the exterior superficies are species of stucco shields; and over the stones, another plain rectangular block, five feet long and six broad, extending over two of the pillars. Medallions, or compartments in stucco, containing different devices, of the same material, decorate the chambers; and it is presumed, from vestiges of heads which can still be traced, that they were the busts of a series of kings. Between the medallions is a range of windows or niches, passing from one end of the wall to the other, some being square, and others in the form of a Greek cross. Beyond this corridor there is a square court, entered by a flight of seven steps; the north side is entirely in ruins, but sufficient traces remain to show that it once had a chamber and corridor similar to those on the east side. The south side has four small chambers, with no ornament except two small windows like those described. The west side corresponds to its opposite in all respects, except that the expressions of the figures are more rude and ridiculous. These fantastic and whimsical forms were probably delineations of some of their deities.

Proceeding in the same direction, there is another court similar in length to the last, but not so broad, having a passage round it that communicated with the opposite side; in this passage are two chambers, and an interior gallery, looking on one side upon

the court yard, and commanding on the other a view of the open country. Here some pillars remain, on which are relievos, which apparently represent a mournful subject, perhaps the sacrifice of some wretched Indian, the devoted victim of a sanguinary religion.

On the south side, the tower rises before the view ; its height is near fifty feet, and to the four existing stories of the building, was perhaps added a fifth with a cupola, which, it is probable, it once possessed ; although these piles diminish in size, and are without ornament, yet their design is singular and ingenious. The tower has a well imitated artificial entrance, as was proved by making a horizontal excavation of about ten feet, which could not be carried farther, as the stones and earth slipped down in large quantities from the pressure of a solid body in the centre. This proved to be an interior tower, quite plain, with windows fronting the former, and giving light to the steps which ascend to its summit. Behind the four chambers already mentioned, there are two others of larger dimensions, and ornamented in the rude Indian style. Among the embellishments are some enamelled stuccos ; the Grecian heads represent sacred objects, to which they addressed their devotions and made their offerings, as the attitude of the statues placed on the sides denoted. Beyond these chambers or oratories, and extending from north to south, are two apartments, each upwards of eighty feet in length, by about ten broad, in which was found nothing worthy of notice, except an elliptical stone three feet above the pavement, the height of which was near four feet, and the breadth three.

Below the elliptical stone above described, there is a plain rectangular block, six or seven feet long, by three feet four inches broad, and seven inches thick, placed upon four feet, in form of a table, with a figure in bas-relief in the attitude of supporting it. Various characters or symbols adorn the edges of the table, which, from their frequent occurrence, must once have had a determinate meaning. At the extremity of the last mentioned apartment, and on a level with the pavement, there is an aperture like a hatchway, six feet long and more than three broad, leading to a subterranean passage by a flight of steps, which, at a regular distance, forms flats or landing places, each having its respective door-way. There were various entrances to this subterranean avenue, some of which were entirely blocked up by rubbish. On gaining the second door, artificial light became necessary to continue the descent into this gloomy abode, which was by a very gentle declivity. It has a turning at right angles, and at the end of the side passage there is another door, communicating with a chamber upwards of two hundred feet long ; beyond which is another, leading to the exterior of the edifice. Nothing of consequence appeared here except some plain stones, seven and a half feet long by three or four feet broad, arranged horizontally

upon four square stands of masonry, rising about a foot and a half above the ground. These were probably receptacles for sleeping, as the large stones were partitioned off in the forms of alcoves. Here all the doors and separations terminated, and as nothing but stones and earth were discovered by digging, the investigation was transferred to one of the buildings, situated on an eminence to the south, about one hundred and twenty feet in height.

This edifice, forming a parallelogram, resembled the first in its architecture. It has square pillars, an exterior gallery, and a saloon sixty feet long, by more than ten broad, embellished with a frontispiece, on which are described female figures as large as life, with children in their arms. These representations, however, were without heads; and there were other whimsical designs, which ornamented the corners of the house.

Leaving this structure, and passing by the ruins of many others, which, perhaps, are only accessories to this principal edifice, the declivity conducts to a little valley, whereby the approach to another house in this direction (southerly) is practicable. To the eastward of this structure are three small eminences, forming a triangle, upon each of which is a square building, fifty-four feet long by thirty-three broad, of the same architecture as the former, but having, along their roofings, several superstructures, about nine feet high, resembling turrets, covered with different ornaments and devices in stucco. In the interior of the first of these three mansions, at the end of a gallery almost entirely dilapidated, is a saloon, having a small chamber at each extremity, while in the centre of the saloon stands an oratory, about ten feet square, presenting, on each side of the entrance, a perpendicular stone, whereon is portrayed the image of a man in bas-relief. The entire front of the oratory was found occupied by three stones joined together, on which were allegorical representations. The outward decoration was confined to a sort of moulding, finished with small stucco bricks, on which were bas-reliefs; the pavement of the oratory was quite smooth, and eight inches thick, which it was necessary to perforate to make an excavation. At about a foot and a half beneath the pavement, was found a small round earthen vessel, a foot in diameter, fitted horizontally, with a mixture of lime, to another of the same kind: these were removed, and the digging being continued, at nine inches beneath was discovered a circular stone, and on removing it, a cylindrical cavity presented itself, about a foot wide, and four inches deep, containing a flint lance, two small conical pyramids with the figure of a heart, in dark crystallized stone, very common in this country, and called challa. There were also two small earthen jars or ewers with covers, containing small stones, and a ball of vermillion. This depository was in the centre of

the oratory, and in each of the inner angles is a similar cavity, where other jars were buried.

Del Rio says, that the subjects represented by the bas-reliefs, conveyed to his mind an idea, that it was here the natives venerated, as sacred objects, the remains of their heroes; and he is further of opinion, that the conclusion to be drawn from some of these structures, must be, that the ancient inhabitants lived in extreme darkness. In digging in various parts of the ground, a few articles were discovered, among which was an earthen vase broken in pieces, which contained small pieces of *challa*, in the shape of lancets, or thin blades of razors; and an earthen pot containing a number of small bones, grinders, (molares,) and other teeth.

The original MS. of this curious work appears to have fallen into the publisher's hands in a mutilated condition, which will account for the incongruities between the text and the accompanying plates. These are seventeen in number, and one of them represents the tower described above. The rest of the plates present a variety of figures in peculiar attitudes, and surrounded by, and decorated with, numberless outré ornaments; among all which there does not appear to be any thing like martial implements. It is impossible to give a minute account of all the plates; but there is one physiognomical phenomenon pervading all the human figures, which must not be omitted: this is, a marvellous development of the nasal organ, and an unnatural protrusion of the nether lip. One of the pictorial representations of this volume was made use of by Mr. Humboldt, to show the extraordinary lineaments of the face, which, it is said, are unlike those of any nation now existing, or that have been hitherto found in the sculptured representations of antiquity.

When we reflect upon the advancement recently made in oriental literature, and the stupendous discovery of the sacred language of Egypt that burst so unexpectedly upon the learned world, we cannot but lament the strange apathy which prevails at present, in regard to the monuments of the New World. A Colebrooke and a Tod are engaged in unfolding the lore of Asia; a Niebuhr has sapped the cherished dogmas of Roman history; and Champollion has already furnished the long sought key of hieroglyphic science; but the wonders of the American continent—within our reach—before our eyes—wonders worthy of the philosopher, and which, without all question, would amply reward the time and labour bestowed upon them, are still suffered to lie in absolute neglect. What might be the result of further investigation, it is impossible to foresee; but, already, sufficient accounts of antique remains, and traditions of very remote and eventful periods of time, exist, to fill volumes, and it is believed

that not one hundredth part of what really do exist, has yet been discovered and laid before the public.

The monuments found in the New World by its conquerors, who had little leisure, no taste, and but limited opportunities for such inquiries, excited astonishment; and stores of learning were soon exhausted, with imperfect data, to explain their meaning and origin; but now that the population is diffusing itself so rapidly, and such facilities of investigation are afforded, we cannot help hoping that the subject of American antiquities may soon escape from its present neglect, and receive the consideration and attention to which it is so justly entitled; that the philosophers of the New World may co-operate with those of the Old, and be stimulated by their genius and ardour; and that the researches of one portion of the globe may reflect light upon those of the other. Let it be borne in mind, that although much has been developed, yet more remains concealed; a reflection well fitted to quicken inquiry—that new analogies are daily pointed out between the most distant countries, periods, and people; but that data are still wanting to explain, satisfactorily, many phenomena, which we, at present, contemplate with stupid wonder. The events of the present age, while they are calculated to exult our confidence in the powers of human intellect, at the same time bring the humbling conviction that the extent of our real knowledge is exceedingly circumscribed. But to the present age, indeed, the pleasant remark of Fontenelle is peculiarly appropriate—*La terre est une vieille coquette, elle tache, en vain, avec sa parure, de cacher les rides de son visage.*

No country or people has escaped the attention of those who employed their wits in the grand question of the American population. Some even contended that America was peopled from the Old World before the deluge, because we have accounts of giants in the New World, who, according to Holy Writ, were an antediluvian race. The Grecians, the Romans, the Spaniards, the Irish, the Courlanders, and the Russians; the Egyptians, Carthaginians, and Numidians; the Israelites, the Canaanites, the Assyrians, the Phoenicians, the Persians, the Tartars, the East Indians, the Chinese, and the Japanese, have been respectively brought forward to support different hypotheses or systems. Even Plato's famous isle of Atlantis was resorted to, to furnish materials for the primitive population of this continent.*

The indefinite antiquity of the Americans, however, has been inferred, with sufficient probability, from several considerations. First, they were found destitute of many arts and inventions, among which may be noted the use of wax and oil for light, necessities very ancient in the Old World, and which, when

* Clavigero's Hist. of Mexico, vol. ii. p. 204.

once discovered, are never forgotten. Second—they had traditions of the creation of the world—of the mother of mankind falling from a state of happy innocence—of a deluge, and the escape of a single family on a raft—of the building of Babel, the confusion of tongues, and dispersion of nations : but here tradition failed, and they had no farther knowledge of the momentous events which afterwards happened in Africa, Asia, and Europe. And, last, they had retained no knowledge of the people of the Old World, nor had the latter any account of the passage of the former to the New World. This last consideration, which is given by Clavigero,* appears in part inaccurate ; because both the people of Mexico, as well as those of the province of Chiapa, had preserved dim and shadowy records of some distant people who had once been among them ; and from the letter of Cortez to Charles the Fifth, it would seem that the arrival of the Spaniards was not altogether unexpected by the subjects of Montezuma.

These reflections would naturally lead us to the examination of the work of Doctor Paul Felix Cabrera, accompanying the "Report" of Del Rio, in which the monuments found by the latter are attempted to be analysed and compared with those of Egypt and other countries, and a "Grand Solution" is confidently given of the historical problem of the original population ; but this would occupy more time than we, and more patience than our readers, would be willing to bestow. Besides, the "Grand Solution" has been received with portentous indifference, an indifference, however, which, whether it spring from the coldness with which great truths are at first universally greeted, or from the manifest futility of the "Solution" itself, we are unable to muster sufficient resolution to reprehend.

In addition to the information concerning the mysterious *Votan*, taken from Nuñez de la Vega, Cabrera gives some curious notices from Don Ramon Ordonez de Aguiar, a native of Ciudad Real, whom he calls a man of extraordinary genius, and who, it appears, was employed in composing an "Historia del Cielo y de la Tierra." The memoir of Votan, in the possession of Don Ramon, was written in ordinary characters in the Tzendal language, and, it is pretended, was copied from the original in hieroglyphics. At the top of the first leaf of this extraordinary historical MS., we are told, the two continents are painted in different colours, in two small squares, placed parallel to each other in the angles ; the one representing Europe, Asia, and Africa is marked with two large SS, upon the upper arms of two bars drawn from the opposite angles of each square, forming the

* Clavigero's Hist. of Mexico.—Dissert. 1. On the population of America, v. ii. p. 200.

point of union in the centre; that which indicates America, has two SS placed horizontally on the bars. When speaking of the places he had visited on the old continent, Votan marks them on the margin of each chapter, with an upright S, and those of America with an horizontal ∞ . Between these squares stands the title of the history, viz.—“*Proof that I am Culebra,*” (a snake,) which title is most lucidly proved in the body of his work, by another assertion, viz. “*that he is Culebra because he is Chivim.*” Now this is a very laconic speech, and at first sight appears quite inconclusive; but Doctor Paul Felix Cabrera, with infinite erudition and astuteness, explains it much to his own satisfaction; and triumphantly concludes, (*risum teneatis amici?*) that the mystical expression “*I am Culebra because I am Chivim,*” is exactly equivalent to “*I am a Hivite, native of Tripoli in Syria!*”

We must now conclude. Those who regard this subject *naso adunco*, will already be wearied; while others, whose curiosity is excited, may turn to the “*Grand Solution.*” We have nothing to add, except that we should be happy to see a translation of *Votan's* mystical tract. This is an age in which the most obstinate hieroglyphics yield to patient and ingenious scrutiny; and a true interpretation of the figurative style of this book might lead to odd results. The progress of knowledge, and rapid march of discovery, are such, that we are prepared for any thing. Within a few years past, a conspicuous individual found out the real “*Solution*” of the Apocalypse, of which, he declared publicly, he was willing to take his corporal oath. In regard to Cabrera, were he alive, he doubtless would be willing to take an oath also; as it is, he has left on record his affirmation, and the proofs of his “*Solution.*” God forbid that we should question the oath or affirmation of any man breathing, however obscure, wild, or perfectly ridiculous his assertions may appear!

ART. IX.—*Report on the Currency; by a Committee of the New-York Convention of the Friends of Domestic Industry.*
New-York: 1832.

THE United States, at this moment, possess within their limits, all the varieties presented by human society in its progress from the savage to the refined state. Viewed as one country and as a whole, it presents a complete history of the progress of civilization in a wilderness, and until the whole continent shall be subdued to the use of enlightened man, its actual condition will always

be a series of the various stages of the progress of civilization. At the present period, we find on the Atlantic coast, cities and states, which, in the arts and sciences, in wealth, and all the productions of wealth and skill, are not far, if at all, behind those of the Old World. Advancing through New-York and Pennsylvania, we enter the new states beyond the Alleghanies; and although Lexington, Louisville, Cincinnati, and Nashville, are not inferior to many cities on the sea coast, still the country is not so well settled, and shows less signs of cultivation. The roads become worse, the towns smaller, until in the far west we come upon the log hut, the half cleared field, and finally reach the Ultima Thule of civilization, in discovering the trapper's tent not far distant from the Indian wigwam.

Over a country thus extensive, and advancing so rapidly in wealth and population, that in one generation the hardy pioneer of the forest finds himself surrounded by a city, in a spot where he made the first clearing with his own hands, a federal government has been established, and vested by compact with the exclusive power of regulating the currency.

Warned by the experience of the revolution, and the distress to which the whole country had been subjected by the indiscreet emission of bills of credit, and the bad faith of some of the states in not redeeming them, all power over the currency was designedly taken from the state governments, and they were expressly prohibited from coining money, issuing bills of credit, or from making any thing but gold and silver a tender in payment of debts. It was intended to vest in Congress the power to establish a uniform currency, and to place it out of the power of the states to invalidate or alter the terms of contracts by tender, relief, or bankrupt laws, or by any depreciation of the circulating medium. That such was the intention of the convention is easily seen, not only by reference to the circumstances of the country at the time the Constitution was framed, but by the express provisions of that instrument itself.

This design has been partially frustrated by the substitution of a currency chiefly composed of the notes of incorporated banks, in the place of a metallic currency. These notes have not indeed been made a legal tender in payment of debts. From that evil the country has been saved by the foresight of the convention which formed the Constitution. But although the power, which was thus given to every creditor to enforce the payment of his debt in specie, has served as a check upon the extreme depreciation of the circulating medium by over issues, still a paper currency has existed in the United States, which, by driving away and superseding the use of the precious metals, has in fact compelled every one to receive such currency, in nearly the same manner as if it had been made a legal tender, although it

has been at one time depreciated nearly one-fifth in value. The only alternative presented to a creditor, was, a lawsuit in the face of public opinion, to recover specie, or the acceptance of the depreciated paper currency from his debtor.

A paper currency has thus become the circulating medium, and where regard is had to the circumstances of the country and to its want of capital, it is not much to be regretted, that so great a saving has been made by the substitution of bank notes for the more expensive currency of gold and silver. While banking is conducted upon proper principles, and with caution and discretion, the currency furnished is more convenient, especially in a country where commercial operations extend over a large surface and between distant cities, besides being attended with the greater and more substantial advantage of superior cheapness to a metallic currency. This paper however must be convertible at pleasure into gold and silver, and in order to that, the banks issuing the notes should have at least one-third of the whole currency in gold and silver in their vaults, to meet the demands which may be made upon them. A considerable saving is thus effected to the community, and it will be easily seen, that in a country newly settled, this is a most important benefit. The capital of the inhabitants of a country thus circumstanced, is absorbed in the purchase of land, and in the erection of dwellings and out houses. For many years the labour of the settlers is directed to clearing and enclosing the land, and it is not until after the lapse of some time, that a surplus of production is obtained for the market. Even this is exchanged for necessities produced in foreign countries, and it is not until after the new community has become comparatively advanced, that it is enabled to spare an adequate portion of its capital for the purposes of a circulating medium. Business is thus retarded, or an effort is made to accelerate it by resorting to a cheaper kind of currency; and in many instances by an injudicious recourse to banks. These are frequently conducted indiscreetly, thereby producing over trading, which has been invariably followed by a reaction, resulting in the bankruptcy of the banks, and in the general distress of that part of the country. It is indeed exceedingly difficult for a new country to spare the capital necessary for a metallic currency, and in providing for such a currency by the Federal Constitution, its framers were more governed by a regard for the permanent and ultimate good of the community, than influenced by a consideration of its ability, at that period, to appropriate so large a portion of its capital for a circulating medium.

The following statement will show what amount of capital is required for that purpose. Mr. Gallatin, in his considerations on the currency, estimates the amount of the currency of the United States to be about \$6 a head, or about \$20,000,000 in 1790,

and \$70,000,000 at the present time. It is therefore clear, that so large a subtraction from the active capital of the United States for the purposes of currency, was beyond the ability of the country at that time, and as gold and silver could not be obtained for coinage except by purchase from other nations, it was almost necessary to adopt the medium of bank notes convertible at pleasure into specie. As this requires, except in cases of general panic, only one-third of the whole amount in circulation to be kept in the vaults of the banks to redeem their bills on demand, a saving of two-thirds of the whole capital required for the currency, or nearly \$14,000,000, would have been effected, had the whole been of paper. About one-seventh of the circulation, however, when the currency consists chiefly of bank notes, is in gold and silver, and this reduces the actual saving in 1790 to about \$11,000,000, and a saving of \$40,000,000 at the present time, or a sum nearly double the whole national debt.

In thus substituting the cheap currency of paper in the place of gold and silver, care must be taken so to regulate the banking operations of the country, as to enable the holders of paper to obtain specie in payment without delay. In no other manner can paper be a substitute for gold and silver. Its value depends upon the belief of the community in its prompt redemption, and whenever that is delayed, a depreciation inevitably takes place. No legal enactments can prevent this result, and while the currency of the United States continues to be chiefly of bank notes, it is the *duty* of Congress either directly through the officers of the treasury department, or indirectly through a national bank with branches, to exercise a certain control over the operations of the banking institutions of the several states. It can thus, and only thus, discharge that duty, which for wise and salutary ends was vested exclusively in that body by the Federal Constitution.

Congress shall have power to coin money, regulate the value thereof, and of foreign coin. No state shall coin money; emit bills of credit; or make any thing but gold and silver coin a tender in payment of debts. Such is the language of the Constitution, and it is obvious, that its intention was to vest in the Federal Government the exclusive control over the currency. The practical construction so long given to the Constitution, by the incorporation of banks by the state legislatures, in which the state governments are often largely interested, and the substitution of the notes of those banks in the place of a metallic currency, have deprived Congress of all power of regulating the value of the currency, except by a direct interference with the state banks, or by checking their issues, and confining them within the proper limits of banking operations. Any interference, either by direct legislation, or by a stamp duty upon bank notes, is uncalled

for, and would, in the existing state of the country, be unwise and inexpedient.

No control, therefore, can be exercised, except by means of the receiving officers of the revenue making a discrimination between the notes of the various banks, or by means of that salutary and efficient control, which the United States Bank has exercised, in compelling the local banks to reduce their issues to an amount proportionate to their means, and in that manner maintaining the paper currency at par with gold and silver.

A proposition to add to the duties of the revenue officers this financial responsibility, and to augment their power and means of influence, by investing them with this power of discriminating between the local banks, would not be readily assented to, and where other and better means are so readily offered, it would not be expedient.

This power, however, must be exercised by Congress; or one, and which as sensibly affecting all the daily operations of society, is not the least important or useful of its powers, would remain dormant. To permit the local banks at pleasure to augment the amount in circulation one-half, as they did during and directly after the war with Great Britain, would be to diminish the value of the circulating medium of the United States one-third; and a debtor who should then pay a debt contracted previous to the increased issue, would pay only two-thirds of what he agreed to pay. Again, to permit the banks in any particular section of the country to increase their issues beyond their means of redemption, would be to tolerate a currency of inferior value for that portion of the Union, and would, in effect, be a violation of that provision of the Constitution, which declares, that all duties, imposts, and excises, shall be uniform throughout the United States. For instance, during the suspension of specie payments, commencing in the fall of 1814, and ending after the establishment of the United States Bank, the notes of the Baltimore banks were, for the greater part of the time, at twenty per cent. discount, those of New-York at ten per cent., while those of New-England were at par. It is obvious, that while bank notes were received by the revenue officers at those places in payment of duties, the importer at Baltimore paid one-fifth, and at New-York one-tenth less than the importer at Boston. Notwithstanding this clear practical violation of the Constitution, this inequality continued for two years; and such was the condition of the country and the course of business, that a direct attempt, on the part of the treasury department, to enforce the resumption of specie payments, by a refusal to receive the notes of any but the New-England banks, would probably have proved abortive, and would have been unwise, as incalculably deranging the business of the community.

To discharge, therefore, one of the most important duties of the Federal Government, and to render the taxes and duties imposed by Congress uniform throughout the United States, it was necessary to obtain a control over the monetary system of the country. The circulating medium of the United States, taken as a whole, had become depreciated one-third by the large issues of the banks in the Middle and Southern States; and this evil was still further augmented by a variety of currencies in the different states, in some five, in some ten, and in other places twenty per cent. below par. The remedy of these evils was found in establishing the United States Bank.

By the judicious policy of that institution, public confidence in the currency was restored; specie payments resumed; the paper issues of the banks reduced, within three years after it commenced its operations, from \$ 66,000,000, to less than \$ 40,000,000; and a uniform currency ensured to the whole Union, which has been maintained (with some exceptions strongly illustrative of the necessity of a national bank) to the present time.

It is not our intention to inquire into the power of Congress to incorporate a national bank. That question is settled—settled by the action of Congress and the acquiescence of the government and the country ever since the adoption of the Federal Constitution.—Settled by the decision of the Supreme Court of the United States, the very tribunal instituted to determine upon all questions in law and equity, arising under the Constitution, treaties, and laws, of the United States.—Settled, in short, by every thing, save an appeal to arms, that can determine any question which may arise under our Constitution. It is therefore time to consider the question as to constitutional power at an end; and we proceed to inquire into the effects of the bank upon the commercial and financial operations of the country. The march of civilization from the Atlantic coast, into the interior, (as we have already mentioned,) presents in the United States all the different stages of the civilized state, except that of decrepitude and decay. The effect of this upon the internal commerce of the country is important and characteristic. In settling in the interior, whether in one or more families, the whites take with them little more than their clothing, furniture, agricultural implements, and a small stock of domestic cattle. In a few years the fertility of the soil enables them to send a surplus of agricultural produce to exchange for European or West India produce, at the stores of the country traders in the nearest towns; who in their turn transmit the produce to the sea coast, for consumption in the more thickly settled portions of the country, or for exportation.

In this manner an active trade is kept up between the seaports and the interior, and from the fact, that the inhabitants of the interior stand in actual need of various articles of foreign pro-

duction, which for many years they require on credit, to be paid for from the next year's harvest, it follows that the interior is invariably in debt to the merchants on the sea board. These debts they however are enabled to discharge by the unexampled fertility of the soil they cultivate, and the advance of their property in consequence of the improvement of the country; and, contrary to a received maxim in other countries, they grow rich although they continue in debt: that is, they are constantly augmenting the value of their farms, and each year they are enabled to enjoy some additional comfort or luxury, which they do not hesitate to purchase on credit, because they are in general certain of being better able to pay for it before the lapse of another year. Whatever may be thought of the prudence of this habit, such is the practice of the country; and when we advert to the course of business between old and new countries, which always shows a balance in favour of the former, and of course brings the latter in debt, it must be inferred that this custom results from circumstances beyond the reach of legislation. The real truth is, that the new countries are deficient in capital. They are in want of all the luxuries, and many of the necessities, to which the emigrants were accustomed in their old abodes. They however advance in wealth and population faster than the older states, and for the advance of capital, or the credit which they require, they are able and willing to pay. Thus, both parties are satisfied with their respective relations of debtor and creditor, and find their respective interests greatly promoted by the proper adjustment of these relations. The same principle is as applicable to the capital required in the new states for a circulating medium, as for the productions of foreign countries. If the western states can borrow, at a fair rate of interest, from the Atlantic cities, or from Europe, capital sufficient for a circulating medium, it is as advantageous a loan as if procured for any other public or private purpose. It enables them to appropriate an equal amount of capital to the clearing of new farms, building better houses, improving the roads, and generally promoting the prosperity of that section of the Union.

The obviously beneficial results of thus appropriating so large an amount of capital, have at various periods in the history of this country, induced the governments of most of the states, to adopt various expedients for supplying the place of a metallic circulating medium.

Before they were deprived of that power by the Federal Constitution, they issued bills of credit, and from the ease with which the public expenditures were met in this mode, they were induced to increase them, until they went beyond the wants of the community, when a reaction took place—public confidence was impaired, a depreciation of the paper followed, and the holders

of the bills were ruined. It was to provide against the recurrence of these evils, that the state governments were prohibited from issuing bills of credit.

The same necessity for a paper currency continuing to exist, they were induced to charter local banks: and throughout the Union a host of banks was created, all issuing promissory notes, discounting paper upon their deposits and circulation, as well as upon their capital, and thus in effect making their own notes the actual circulating medium of the country. As the circulation of the paper of these local banks depends upon the confidence of the community in their stability, it follows that they are less current abroad than at home, and that the holder of western or southern bank notes is compelled to allow the discount, when he makes his purchases in the New-York or Philadelphia market. Money brokers are thus created, and in fixing the discount of this paper, they not only take into consideration the solvency of the bank, but its distance, and the time which will probably elapse before they can turn this depreciated paper into available funds. This discount is somewhat augmented, where the capital thus employed is small, because it takes a longer time for the broker to accumulate a sufficiency of the paper from any part of the country, to make it an object to transmit it for redemption, and also because the expenses of two small dealers necessarily exceed those of one large dealer employing their joint capital.

A bank similar to the United States Bank, is therefore enabled to carry on these exchange operations at a much cheaper rate than any combination of local banks or private money brokers. Besides the advantage of its great capital, the necessity which it is under of transmitting the funds of the government to those places where they are to be expended, enables it to draw largely without a corresponding transmission of specie to correct the balance of the commercial exchange. The knowledge which it has, through its branches, of the stability of the local banks, and the means it possesses of checking any over issues on their part, enable it to engage advantageously in the business of exchange. The community is thus benefited by the superior cheapness and safety with which this branch of business is carried on, and the bank derives its profit from the greater facilities it has of transacting it. Nor is this the only way in which the exchange between the different parts of the Union is equalized. As the paper of the United States Bank is receivable for all debts due to the government, the notes of the different branches are nearly at par in every part of the country, seldom if ever being more than one-fourth per cent. discount. The revenue paid to the Federal Government in each year amounts to about \$25,000,000, of which nearly one-half is receivable at the custom house at New-

York. The exchange being always in favour of that city, whenever exchange on New-York is too high, the western merchants make their remittances in United States Bank notes to their New-York creditors, who are enabled to pay their custom house bonds with these notes at par. The exchange is thus equalized without any expense to the community, and this operation is felt through all transactions in internal exchanges. Nor is this the only way in which the establishment of a national bank contributes to reduce the rate of exchange.

We have already adverted to the necessity which a new country is under of using a cheaper circulating medium than gold and silver, and the strong tendency to augment the issues of paper or bills of credit beyond the actual wants of the community, and thus to depreciate the currency. These depreciated bank notes, however, may still serve as the chief circulating medium of the state, and pass current in all domestic commercial transactions. When the merchant goes beyond the borders of the state to purchase, he then finds the necessity of another currency, and it is then he is compelled to resort to the money broker to exchange his depreciated currency for available funds. The broker having made his advances at a rate of discount which will pay the expenses of the contest, takes measures to enforce payment of the notes. A legal contest now commences, and if the state government be interested in the banks, as is often the case, we sometimes find the legislature taking part in the controversy, and by relief laws, tender laws, and other acts equally unconstitutional and inequitable, seeking to defeat all legal remedy.

A national bank, with branches founded upon real capital, and properly conducted, tends to prevent these deplorable evils—deplorable not only in their effects upon the industry and commerce, but also upon the morals of the community. Furnishing by its issues a circulating medium equal in value to specie, and receivable every where in all payments to the government, its paper will be preferred to the paper of the state banks, and if their issues at any time shall be so augmented as to impair public confidence in their solvency, will be enabled not only directly to check them in an attempt to flood the country with their paper, but indirectly, by furnishing a currency which will be preferred as entirely equal to the precious metals.

The local banks are thus compelled to conduct their affairs with prudence and discretion, and to keep their issues within their means of redemption. The exchange business is consequently transacted upon the basis of a sound currency, and the solvency of the banks having seldom to be considered in fixing the rate of exchange, it is done at less expense to the country.

A brief sketch of the history of the banking institutions of the

states of North Carolina, Tennessee, and Kentucky, will furnish apt illustrations of the correctness of the foregoing remarks.

In the state of North Carolina there are three state banks, viz the banks of Newbern, and Cape Fear, chartered in 1804, and now having a capital of \$ 800,000 each, and the state bank of North Carolina with its branches, chartered in 1810, having a capital of \$ 1,600,000. Of this capital only part was paid in. The state owns one-fourth of the capital in each bank. For many years, down to 1818, the dividends were from eight to ten per cent., with occasional dividends of surplus. From that time the dividends have been diminished, until their average for some years past has amounted to about three per cent. per annum. During that golden age for the stockholders, the community was suffering from the evils of a depreciated currency. The North Carolina bank notes were at a discount in the state, varying from two to eight per cent., and in New-York as great as twelve per cent.

Since the establishment of the United States Bank, they have been compelled, by degrees, to diminish their circulation, and without any formal resumption of specie payments, their notes are now at par. They found the United States Bank paper was preferred, and their interest compelled them to furnish as good a currency, in order to preserve those customers who were worth having.

In Kentucky the evil was greater, and the contest more protracted and severe.

In that state, the war had produced an unnatural excitement, and upon the return of peace, in order to sustain those interests which had grown up during the war, the capital of the Bank of Kentucky was increased from \$1,000,000 to \$3,000,000, with power to issue notes to the amount of \$9,000,000, a sum equal, at that time, to one-fifth of the whole circulating medium of the Union. This expedient, instead of remedying, increased the evil, and in 1818 forty new banks were chartered, with an aggregate capital of \$7,920,000, of which all but five, with an aggregate capital of \$550,000, went into operation. These banks were authorized to commence business as soon as one-fifth of their capital had been paid in, which provision, however, was not strictly observed—the same specie being used for several banks, and only remaining in the vaults of each sufficiently long to enable the commissioners to certify that the law had been complied with. This notable specific produced the desired effect; money was to be had for asking, and the state was literally flooded with a circulating medium. It was, however, finally discovered, that what was to be had for asking was not worth so much as that which was difficult to obtain, i. e. specie; and when the banks were called upon to redeem their notes, they answered the call by closing their doors. The state bank was compelled to do the same, and the people of Kentucky, who had taken this worthless paper for

and finally, in the election of Governor Metcalf over Mr. Barry. The new Court of Appeals was abolished, the old Court of Appeals, which had always continued to sit, was sustained, and law and justice, which had for a short time been driven from the judgment seat, resumed their sway over the state of Kentucky. The history of the banking institutions of this state, affords a striking example of the evils resulting from any interference on the part of a state government with the currency of the Union, and furnishes a complete demonstration of the wisdom of the Constitution, in vesting the whole power over this subject in the Federal Government. In addition to the depreciation of the currency, the shock to private and public credit, the general bankruptcy, and the violation of the principles of sound morality and civil order; the most valuable institutions of the state were temporarily overthrown; and the community for several years brought to the brink of civil war and anarchy. The right side having finally triumphed, measures were taken to redeem this depreciated currency, and for several years past, a large quantity of the paper of the Commonwealth Bank has been annually destroyed, until the greater portion is now withdrawn from circulation. The holders, however, had in the mean time sustained a loss of at least one-half of the whole amount issued, and the prosperity of the state was materially retarded. Another experiment to evade the constitutional prohibition to issue bills of credit, was tried about the same time by the state of Tennessee. In October 1817, a law was passed by the Legislature, imposing a tax of \$50,000 on all banks not incorporated by the state. This was after the incorporation of the United States Bank, and with the view of preventing a branch from being established in Tennessee. At that time, there existed in that state, the Fayetteville Tennessee Bank, with a capital of \$200,000, the Nashville Bank, with a capital of \$400,000, and the Bank of the state of Tennessee, with a capital of \$400,000, which was increased in November 1817 to \$800,000, with authority to accept as branches a batch of banks created the same session, with an aggregate capital of nearly a million of dollars. This union finally increased the capital of the state bank to \$1,600,000; and a similar union was effected between the Nashville Bank and a number of banks created the same session, by which the capital of the Nashville Bank was augmented to \$1,031,705.

The banking system of Tennessee now went into full operation. The banks began to issue their notes, and as specie payments were not the order of the day, and indeed, were not expected, they were enabled, without much trouble, to sustain a prodigious circulation. At length the reaction came. In 1819 the Fayetteville Tennessee Bank failed, with a loss to the stockholders, who had only paid in part of the capital, of thirty per

cent., and to the bill holders of between forty and fifty per cent. The Nashville bank failed about the same time, with an equal loss. The state bank still kept in operation, but not attempting to redeem its notes until 1826, when it made the attempt, and actually continued to redeem its notes for seventy-two days, when, three-fourths of its specie having been drawn out, it was compelled to again stop payment. The disastrous termination of the banks, which failed in 1819–1820, not having furnished a sufficient lesson to the legislature, a new state bank was created in June 1820, with a capital of \$1,000,000, in bills emitted on the credit of the borrowers, and secured by the state on a pledge of the sales of unappropriated lands, and the sales of certain lands in the Hiwassee country, together with the ordinary revenues of the state not otherwise appropriated, which were to be deposited in the said bank; subject, however, to all drafts for appropriations authorized by the legislature. Here was another violation of the Federal Constitution. The state in effect issued bills of credit, but as the revenues and faith of the state were not unconditionally pledged, the bills at once fell fifteen per cent. below par, and finally, from the most culpable carelessness on the part of the cashier and clerk of securities, the bank became unable to continue its business, and though its bills have been mostly withdrawn from circulation, a loss has been sustained by the bill holders, and its affairs are not yet, and probably will not be finally settled for several years. This bitter experience at length taught the people of Tennessee, that banking could not be carried on without capital, and as their own capital could be more advantageously employed, they loudly called for the establishment of a branch of the United States Bank, and the legislature, in November 1826, directly after the failure of the state bank, repealed the law imposing a tax of \$50,000 on banks not incorporated by the state, with the view of procuring a branch to be established at Nashville. This was done; but in the mean time brokers and moneyed capitalists had been speculating largely upon this depreciated currency, and had reaped a golden harvest from the inability of the community to provide a sound circulating medium. An illustration of the large profits made in this business, is afforded in the operations of a highly respectable private banking house at Nashville, which, with the United States Bank, has furnished for several years past the circulating medium of Tennessee and north Alabama. About seven years ago, this firm perceiving the difficulties which merchants encountered in remitting funds to the north, undertook the exchange and banking business, upon the following footing. They deposited as security for the drafts they might make upon Philadelphia, in a bank at that place, stock of an institution in good credit, to the amount of \$150,000 to \$200,000, and making large dividends. They al-

provided \$100,000 in specie, which they transported to Nashville. Thus fortified, they commenced the purchase of bills of exchange on New Orleans, generally secured by a consignment of produce. In payment of these bills, they issued their own bills of \$5, \$10, and \$20 each, mostly payable in Philadelphia at ninety days, and the residue at Nashville. As the firm was in undoubted credit, the paper thus issued soon obtained universal currency, to the exclusion of the paper of the local banks, and furnished a new circulating medium, which, at the same time, was a good remittance to the north. A large portion of their paper remained in circulation, furnishing them with a capital, on which they could safely continue to discount. As they met with little competition in the exchange business, they were enabled to fix the rate of exchange, which was generally from six to eight per cent. discount for a six months' bill on New Orleans. These bills were remitted to the north, and were there sold with a gain to the Nashville house of from three to five per cent., and the checks issued by them against the proceeds of this bill, were sold at a premium of two per cent.—thus clearing from six to eight per cent. by the operation, without calculating the active capital obtained by them in furnishing nearly the whole circulating medium of the state. It ought however to be mentioned, to the honour of this firm, that although enjoying this lucrative business without competitors, and fully aware that the establishment of a branch at Nashville would diminish their profits, they did not hesitate to join with their fellow citizens in requesting the establishment of a branch at that place. The observation they made at the time of signing the petition for a branch, "that it was a sacrifice of their private interest for the public good," has been entirely realized. The rate of exchange on New Orleans has been reduced to one per cent. besides the interest, a premium of from one-half to one per cent. only is asked for checks upon the north, and the United States Bank shares with them in furnishing the circulating medium of the state. From the experience of these states, the following propositions may be fairly inferred: First, that all countries newly settled, will seek, from the deficiency of capital, to supply a circulating medium by the issue of paper.

Second, That the paper thus issued will be ultimately extended beyond the wants of the community, and the capital pledged for its redemption.

Third, That the reaction which invariably follows these excessive issues, results in the insolvency of the institutions issuing the paper, in the depreciation of the currency, in the derangement of commerce, and in the permanent injury of the community.

Fourth, That these results may be avoided by the establish-

ment of a national bank with branches, whose capital, being furnished from a more wealthy part of the country, is both real and ample, and whose best and permanent interest is attained by issues restricted within its means of redemption, and made upon proper banking principles.

Fifth, That as this is the easiest and most practicable mode of regulating the currency of the Union and of rendering it uniform by confining the local banking institutions within proper limits, it follows that the establishment of a national bank is one of the plainest and at the same time most imperative duties of the Federal Government.

In taking this view of the subject, not much stress has been laid upon the saving of the trading part of the community in their exchange operations. This however is a most important consideration. The Louisville and Nashville, and generally all the western merchants, make their purchases in New-York and Philadelphia. The western produce, which furnishes the means of paying for these purchases, goes down the Mississippi, except a small portion, which of late years finds its way to a market through the New-York canal. These several operations create an important exchange business, in which the United States Bank becomes a competitor with individual capitalists. From its large means, it is always ready to purchase. Its large receipts of public moneys at New-York, the place where bills are wanted, enable it to draw at less expense than private bankers can do, and it thus directly operates in reducing the rate of exchange. If the United States Bank should not continue to be a purchaser, and its existence should terminate in 1836, not only would the exchange business be thrown into the hands of brokers and the local banks, and an augmentation produced of the rate of exchange by the withdrawal of a powerful competitor, possessed of such peculiar facilities for transacting the exchange business with advantage; but the risks of that business would be greatly increased, by all check being taken off from the state banks, and by the derangement of the currency which would inevitably follow the destruction of the United States Bank. Then would return the golden age of brokers and moneyed speculators.

"Jam nova progenies cœlo dimittitur alto,
Ac toto surget gens aurea mundo
Casta fave *Lucina* tuus jam regnat Apollo."

The community indeed would be exposed as formerly, to the evils of a depreciated currency; the western merchants would have to pay for bills on New-York or Philadelphia, ten to fifteen per cent., as they did in 1816, or to allow a proportionate advance on the price of the goods they purchase, as an equivalent for the risk of loss on western money; the national treasury would soon find itself possessed of two or three millions of unavailable funds;

but still the *Mammoth* bank would be destroyed, and foreigners would no longer hold American stock, or in other words, no longer be permitted to lend their capital to the citizens of the United States!

These are the arguments by which the opponents of the United States Bank seem to think that the greatest impression can be made upon the public mind.

As to the charge conveyed in the first proposition, grave and serious as it is, it must be admitted that it is true. The United States Bank, compared with state banks, is large; and from the fact, that it is expected to extend its concerns over a large extent of country, and to have a number of branches, it is necessary that it should have a large amount of capital. It is also intended, and this is necessary in order to enable it to execute one of its most important functions, that of regulating the currency, that its capital should be so large as to enable it successfully to resist a combination of the local banks, and so far to control their operations as to keep them within the legitimate business of banking, and to reduce their rate of discount to the average rate throughout the country.

The present banking system of the state of New-York affords an apt illustration of the truth of these observations. The high rate of interest allowed in that state, has attracted for investment much capital from the other states, and a considerable portion of the banking capital of that state formerly was, and some still is, owned out of the state. Notwithstanding these loans, the tendency on the part of the country banks to overtrading, and to issue paper beyond their means, had produced many failures; and after various attempts to place the currency of the state upon a sound basis, the legislature of the state, (in performance of one of the duties imposed by the Constitution upon Congress, viz. regulating the currency,) adopted the following expedient. It levied an annual tax of one-half per cent. on the capital of each bank, until the sum paid should amount to three per cent. of its capital, for the purpose of providing a fund to redeem the paper of those New-York banks which should become insolvent. To this contrivance to preserve the holders of bills from loss, no objection can be urged, except that it compels banks judiciously managed, to bear the loss arising from the mismanagement of those which become insolvent, and by affording a security independent of the solvency of each bank for the payment of its notes, takes away in some measure that check to over issues which the vigilance of the community in the absence of that security would be careful to provide. In the place of that vigilant and sufficient superintendence, the legislature of New-York has made provision for a superintendence by bank commissioners, appointed, one by the Governor, one by the banks of the first, second, and third

Senate districts, represented in convention, and the third by the banks in the residue of the state. These commissioners, or either of them, have power at any time, upon the joint request of three banks, and it is their duty once every four months to visit every bank in the state, to investigate all their concerns, to examine all their books, papers, notes, bonds, and other evidences of debt, with authority to examine under oath all their officers, and with plenary powers in case of any impropriety in the management of any of the banks, to put a stop to its business by proceedings in chancery. These commissioners have a salary of \$ 1,500 per annum, and hold their offices for two years, but are liable at any time to be removed by the Governor of the state.

How far these plenary powers, thus vested, are liable to abuse, or to be perverted to political purposes in a state, where all offices, both executive and legislative, are regarded merely as rewards for political services and activity, and where even the sacred *crimine* has not always been proof against the overpowering influence of party feeling:—what effect upon the business and prosperity of the community may ultimately be produced by a concentration of moneyed and official power in any one of the various parties, which may obtain sway in a state that from its position must necessarily exercise a controlling influence over the financial and commercial concerns of the country, are questions deeply important, not to that state alone, but to every member of the confederacy wishing to preserve those rights which were thought to be secured under our well adjusted form of government.

It would be as unwise to surrender to the government of that state a control over the currency of the Union, as any other even the most important of the Federal powers. And yet without some interference on the part of Congress, either directly or by the establishment of a national bank, such an usurpation is, to say the least, within the scope of possibility. Under the present practical construction of the Constitution, any state may declare, that a certain denomination of the bank notes of other states shall not form part of its own circulation.

In Maryland and New-York, for instance, it is made a penal offence to pass any note issued by banks out of those states for a less sum than five dollars.

It would require but a slight extension of that power to exclude the bank notes of other states entirely from circulation, and it is obvious, that such an arrangement would at once give to the paper of that state upon which exchange was usually drawn, a decided preference in the market. It would command a premium, and as an article of commerce, like the bills of the Bank of England, in spite of legal restrictions on the part of the other states, it would in effect constitute the circulating medium of the

Union. Even at present, notwithstanding the great facilities afforded by the United States Bank, and its decided effect in equalizing the exchange, the bank bills of the City of New-York have a currency much more extensive and universal than those of other places. They always serve for remittances, and therefore pass with more facility. What would be the premium they could command in the absence of that institution, and especially after the prohibition of the bank notes of other states, can only be guessed at by recurring to the rates of exchange at a time when the peculiar condition of the western currency in itself acted as a prohibition to its circulation in other parts of the Union. In such times, however greatly the community may suffer, brokers and moneyed speculators will flourish.

What peculiar advantages might be derived from that state of things by the banks of New-York, or by any combination of them, cannot altogether be foreseen; but that it would not be an indifferent matter to a portion of the moneyed institutions of that state, is easily perceived; and when we glance at the situation of its banking system, it would not be going too far to impute to that cause, a great portion of the local hostility towards the national bank.

It has been seen, that the safety fund system of that state, operates to secure the bill holders from the mismanagement of banks of deficient capital, at the expense of those institutions which are conducted with caution and good faith—in effect to secure the country banks at the expense of those of the city; and that the institution of commissioners, in some degree, gives to the dominant party in the state, an influence over all the banks, and especially over those in the country towns. Besides these contrivances to consolidate the banking system of that state into one great machine, a further concentration of power is obtained, and vested in a few individuals around the seat of government, by means of that portion of the public revenues appropriated to the redemption of the canal loans. This canal fund now amounts to \$1,500,000, and as the loans are not yet redeemable, one-half of this fund has been loaned to the Mechanics and Farmers Bank at Albany, at an interest of three and a half per cent. The capital of this bank is only \$312,000, but by this loan, they are enabled to discount upon a capital of more than \$1,000,000. This institution is in the hands of a few leading men of the prevailing party in that state; and in the incorporating of the new banks, for several years past, efforts have been made to provide in the distribution of stock for such as fraternize with them in political sentiment in the places where the new banks are located, so as in general to give them a control over them. The consequence has been, that an undue share of banking influence has been concentrated in the hands of the dominant party, and they now stand ready

to control the banking system of the state, or in case the United States Bank be not re-chartered, to take upon themselves the transactions of the exchange business upon as favourable terms both to themselves and to the public, as the situation of the country and the condition of its currency shall *then* warrant.

So attractive, indeed, are the prospects held out in that event, that a proposition from the same quarter, is already before the public, and application is about being made to the legislature of New-York, to charter a bank of \$35,000,000, with branches to be located in the different states, with the permission of their respective legislatures, to take effect upon the expiration of the charter of the United States Bank, and to transact the business now done by that bank. How far this prospect of great gains in that business, in the absence of competition, has excited the known hostility of that party towards the United States Bank, it is not necessary to inquire. A sufficient motive is to be found in the fact, that while the country banks of that state were exacting seven per cent. on a discount of paper, the branches of the United States Bank at Utica and Buffalo, were asking but six per cent., and in order to retain their customers, the local banks were obliged to reduce their discount to the same rate. The removal of a competition so directly operating to abridge their profits, would of itself form a sufficient motive, but still the other prospect may have had some influence: and when the course of trade in the United States is adverted to, and its tendency to concentrate in the city of New-York, as the commercial metropolis and the great market of the Union; when regard is had to the control already possessed by the government of that state over one of the chief avenues to the west—the great western canal, created by the revenues and enterprise of the state, it is at least the dictate of wisdom, that the other states should not, either by their supineness, indifference, or any worse quality, suffer a state thus favoured by circumstances, to assume that power over the currency, which, for the wisest purposes, was vested in the Federal Government.

These remarks are made in no unfriendly spirit towards the state of New-York. Her rapid advances in wealth and prosperity, only serve as so many additions to the power of the Union. With a population enterprising, intelligent, and warmly attached to our national institutions, we regard the great and preponderating power of New-York as a sure pledge of the stability of the federal system. Her best and permanent interests are all on the side of the Union. While that continues, the commerce of this great and growing country must also continue to be tributary to her, and to pour its wealth by a thousand channels into the bosom of her commercial metropolis.

The enjoyment of these advantages, however, is not incom-

patible with the rights or prosperity of the other states ; nor does it require any encroachment upon the power of the Federal Government. On the contrary, it depends upon the preservation of our commercial, financial, and political system upon its present footing.

These advantages consist in the position of New-York, and the enterprising character of her population, enabling her to concentrate there the business of the Union. A sound currency, therefore, is of the first importance to her. It furnishes the very life blood of trade ; and the performance of the most vital functions of commerce depends upon its being kept in a healthy condition. If corrupted, empirics and quacks may offer expedients to raise the sinking pulse, and to impart an unnatural excitement to the frame, but all these will fall short of the genial current, which, springing from the heart, diffuses vigour and health to the very extremities of the system. To a commercial state like New-York, it is of vast consequence that the course of trade should be regular and uninterrupted. The constant flow of numberless streams fills the ocean itself.

Any shock to public or private credit, any disorder in the financial system, or depreciation of the circulating medium of the country, instantly interrupts the course of trade, and inflicts a positive injury upon the community at large. That portion of society—the moneyed capitalists and brokers, who stand ready to avail themselves of these contingencies, of course find their advantage in this disordered state of the currency. But the merchant, the mechanic, the farmer who sold his property and made his contracts with reference to a sound currency, finds himself impoverished, and without the means of meeting his engagements. To the people of New-York, therefore, more than to any other portion of the country, it is of incalculable importance to preserve the currency of the Union in a healthy state, and from the Federal Government they have a peculiar right to exact a complete performance of that provision of the Constitution which empowers it to regulate the currency of the United States.

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ART. I.—*Annual Report of the Treasury Department, at the opening of the First Session of the Twenty-second Congress.*

HAVING in a former number of this work, discussed at large the subject of the public domain, we may with the greater propriety recur to it now, when a new view of this interesting topic, has been presented in the late able report of the Secretary of the Treasury. We touch it with some hesitation, because it is not without its difficulties, and we are by no means confident that we can point out any expedient, in reference to this branch of national revenue, which shall promise to be more advantageous than that proposed in the report. But fair discussion is the most rational mode of eliciting truth, and a candid examination of the views, which have come down to us from the treasury department, while it can afford no legitimate ground of offence, may suggest considerations worthy of notice. Entertaining perfect respect for the talents and motives of the author of these views, we shall comment upon them, not in any unfriendly spirit, but simply for the purpose of advancing opinions, on a topic of great national concern, which seem to us to be correct. Indeed, we have less objection to any theory maintained at Washington, upon this subject, than we have to doctrines originating elsewhere.

We are not about to assert in set terms, that there is less patriotism in our country now, than at former periods of its history. The proposition would be startling and unpalatable; and would savour too much of that cant, which undervalues every attribute of the mind and heart, as displayed by our cotemporaries, and places an exaggerated estimate upon the virtues of other

times. But we may be permitted to inquire, what is patriotism? Is it that principle of the mind, which induces its possessor to sacrifice private, for public interests? Is it that noble virtue, which impelled Charles Carroll, John Hancock, and other men of affluent fortune, to jeopard their fine estates, and sacrifice their personal comforts, for the good of their country? Or the almost superhuman self control, which shone in the generous forbearance of Washington, when he laid down military command, and closed all the avenues of his heart against the temptations of ambition? Is it, in fine, that spirit of compromise, which in the days of the Revolution, governed the conduct, not only of individuals, but of public bodies, communities, and whole states, leading them in all the public acts of that eventful crisis, to consult the greatest good of the greatest number, in preference to personal or sectional advantage? If this be patriotism, we are very clear in the opinion, not that it is extinguished, but that it is less fashionable, now, than it was in the days of our forefathers. Perhaps the virtue is held in as high estimation as formerly, but it has become circumscribed in its operation. It has been degraded from a national idol, to a household god; and the man who would once have given his energies to his country, now devotes his talents to his state, his county, his town, or—himself.

If these remarks be considered unjustly severe, we refer confidently for their confirmation, to the great questions which now agitate the public mind. Have they not, almost without exception, grown out of the conflicting interests of different sections of the Union, or of different classes of the community? We forbear from citing particular examples, because we desire to be understood as speaking in the abstract, and we shall necessarily be obliged to be sufficiently explicit, in reference to the proper subject matter of this article. Let that then be taken as the illustration, and let us examine briefly, what is the true interest of *the nation*, in regard to the public domain, and what the nature of the complaints which have been made upon the subject. If any dissatisfaction really exists, we would inquire whether it be, or be not, justly founded; whether it spring from an honest solicitude for the public welfare, or from a mistaken, though perhaps equally honest care for minor interests.

The policy of the government, in relation to the public lands, has had a twofold object; 1st, the reimbursement to the national treasury, of the funds expended in the purchase of those lands, and the payment of the national debt, for which they are pledged; and 2d, an impartial distribution of the lands among the settlers of the region in which they lie.

I. It is now, we believe, a conceded point, that the equitable, as well as the legal and actual title to the public domain, is in the

general government. The whole of it has been acquired with the means of the nation. Her treasure, her diplomacy, and her military force, have been used in the purchase, and in the protection of this noble property. Any attempt to divest the Federal Union of her interest in it, until the debt created by its acquisition be wholly discharged, would be clearly inequitable; and this too, we assume to be a point conceded, or too obvious to admit of cavil. But is this all; and are we certain that the precise nature and amount of the expenditure alluded to are understood? The mere purchase money is one thing; but has any calculation been made, for the purpose of ascertaining what proportion this bears to the multifarious contingencies which have arisen out of the acquisition? The pay of the functionaries engaged in negotiations, and of the additional troops required by this extension of territory; the cost of surveying and sale; the annual expense of legislation, and of the general land office; the interest upon these expenditures; and a variety of other items, which, under the pen of a close calculator, would swell to an astonishing amount, would all be legitimate charges upon these lands. Nor can there be any doubt, that the liberal donations for public purposes, *within the territory in which they lie*—for roads, canals, schools, &c. would also be fairly chargeable to this fund, in all cases except where equivalents have been paid by the individual states for such grants. It should also be recollected, in estimating the amount of the purchase money, that at every treaty held with the Indians, for the extinguishment of their titles to their hunting grounds, there has been given to them, besides the specified price of the land, an amount greater or less, in presents; and that in many cases, the purchase money has been stipulated to be paid in annuities, some of which are to be perpetual. Supposing then that all the actual disbursements, heretofore made from the public purse on this account, be accurately ascertained, by what rule of arithmetic shall we arrive at any correct estimate of the amount which will be required, to pay annuities for twenty years, for thirty years, for so long as a given tribe shall remain a distinct nation, and during the lives of numerous individuals who are pensioners upon this fund?

But again. Is it a settled point that the interest of the nation in this property, *ought to be* extinguished, as soon as she is reimbursed? We apprehend not. Admit that an account which the United States may have opened against these lands, and in which she has charged them with every expenditure made in reference to them, direct or consequential, has been balanced by the receipts from the land offices, can a good reason be offered, why they should not be continued to be held by the government as a source of revenue? No one would contend that an individual, having derived from an estate a profit equal to its cost,

would be bound by any rule of propriety, to convey it back to his grantor, or throw it into a common stock. With as little justice, can the United States be called upon by the individual states, or either of them, to make a similar surrender. The very idea of *property*, excludes such a proposition; for it not only includes present possession and use, but all ulterior and accidental advantages which may accrue to the proprietor. If the United States has a clear and perfect title to this land, it is a gratuitous assumption, for any other party than herself, to prescribe a limit to the tenure which is in its own nature indefinite.

We learn from the treasury report, that there are now but three sources of revenue to be relied upon for the support of our government, viz. imports, public lands, and bank dividends. It is proposed to sell the bank stock, and apply the proceeds to the payment of the public debt, to dispose of the lands to the several states in which they lie, dividing the proceeds among the individual states, and to rely on the duties upon imports solely. As to the prudence of depending upon a single source of revenue, which might be deteriorated by unforeseen causes, we shall not venture an opinion; but we apprehend that this policy cannot be adopted without begging a question, or in other words, assuming the correctness of doctrines which are hostile to the opinions of a large portion of the nation. At a time when a tariff is odious to the whole population of some states, and to entire classes of citizens in others, would it be safe, would it be consistent with that principle of reciprocity, that spirit of compromise, that patriotism, to say all in one word, which ought to regulate the economy of a great government, to abandon all other sources of revenue, and depend upon the single one which has excited more dissension than all the others put together? If it be replied, that no objection is made to a tariff which is resorted to as a financial resource, and that the propriety (or right) of laying duties on imports, is only questioned when used to support manufactures, we would ask, is there no danger, that when duties on imports should become the sole dependence of the treasury, they would have necessarily to remain as high as they now are; that the identical duties now objected to would be retained; and the cause of complaint remain the same, under a change of name? There may have been conclusive reasons in favour of the creation of the existing system of duties, but would those reasons reach forward, and justify its adoption as a *permanent* feature in the policy of the government? And shall we put it out of our power to reduce or discard those duties, when the necessity which induced their adoption shall have ceased?

Another consideration strikes us as worthy of notice. Revenue should be raised in such a manner as to bear equally upon all classes in society; none should be exempted from the burthen,

nor any oppressed by its weight. The perfection of a system of finances, would be found in the exact operation of this principle, reaching to every individual in society, and extending to each his equitable portion of the public burthen; but as perfection cannot be expected to be attained in transactions so gigantic and complicated, the nearest approach to it, becomes the most rational substitute; and this will be found in adopting the principle to which we have alluded, as far as practicable. Now it seems very clear, that by multiplying the sources of revenue, we should increase the chances of making it bear upon all classes of society, and *e converso*, by diminishing their number, we shall multiply the chances that some would be oppressed. Especially does it appear to us—at least *probable*, that if a *single* source of revenue be depended upon, the burthen will be unequally borne, and that some classes will occasionally, and some perhaps always, be exorbitantly taxed, in comparison with others. These considerations are not conclusive, but are only thrown out as rational doubts. If it can be shown that the duties on imports can be extended to so great a variety of articles, that all our citizens, shall by these means, be taxed in equal proportion, and the industry of none be vexatiously burthened, or if these desirable results can be produced to a reasonable extent, then our objection will have been answered. But we should require some demonstration of these effects, and would not be satisfied with the stale assertion, that those who complain of the tariff do not understand its operation, and are really enjoying in consequence of it, a high degree of prosperity. This is too much like telling a man who is groaning in anguish upon a sick bed, that his own feelings are deceptive, that his disorder is imaginary, and that the energy of his groans evinces a strength incompatible with the feebleness of disease. If liberty is worth any thing, it is actual, not constructive; a something to be used by ourselves for our own benefit, and not by another for us. It includes not only freedom from oppression, but also the right to be consulted on matters touching our own interest and happiness. A rule of action laid down for us, should not only be beneficial, but we should assert that it is so. A majority has the power to bind the minority, but it is a power which should be exercised with great prudence; and nothing but absolute necessity would justify a pertinacious adherence on the part of those in power, to a system of measures, which a numerous body of freemen, unite in pronouncing subversive of their rights, and hostile to their interests.

We may mention in this connexion, a proposition to divide the annual nett proceeds of the public lands, among the several states, in the ratio of their representation, to be expended for the purposes of internal improvement and education. If it be determined that these proceeds are not to be appropriated to the ordi-

nary purposes of revenue, but must have a specific application, it is still not clear, that such a distribution would be judicious or even felt. If the distinction between federal interests and state interests is to be persisted in, and the line between state and federal rights broadly and strongly marked, the question arises, upon what ground this can be claimed as a *state* fund? It has not been created by the action of the state governments, nor earned by the prowess, the talents, or the labour of citizens of states, acting as such. The claims of individual states, as far as any existed, have all been ceded to the Union; and the subsequent purchase, with all its incidental expenses, was made with the national treasure. That Congress has a clear right to divide the surplus revenue of the Union among the states, is not denied; but the propriety of thus parcelling *this* fund, in preference to any other, does not seem obvious. We should place it exactly on the same footing with the revenue from any other sources. Should there then be a surplus of the aggregate annual receipts, and its distribution be urged as a concession to the opinions of those who deny the right of the general government to expend money for objects of national improvement, we should not demur, because we would yield much—almost any thing—to a liberal spirit of compromise. But we should yield it only as a concession. We doubt the justice of dividing a fund disposable for internal improvements, according to population. A national fund should be expended where it is most wanted, and where it would be most extensively useful. The most populous state might not require the largest expenditure for roads and canals; and the least populous might stand in the greatest need of assistance. A sum expended in one state in making a road, is not necessarily chargeable to that state as if for its exclusive benefit, because the advantage may be equally great to adjacent states. An immense sum of money was laid out in the states of Maryland, Virginia, and Pennsylvania, in making a road from Cumberland to Wheeling, which is less beneficial to the two last named states, than to those lying on the Ohio. The correct principle seems to be, not that the expenditures should be made within certain limits, but that the benefits should be fairly distributed. This would be best effected by the concentrated action of one government. Still, on this point we should not be strenuous. We should deprecate the division into twenty-four parts, of a sum, which at all events will be small, in comparison to the objects to be effected, and which by this process would become comparatively inefficient. But it is better to forego such advantages, than to gain them by violence to the feelings of a respectable minority.

II. Another very important consideration is involved in this question. One of the greatest advantages secured to the people

of the United States by the proprietary action of the government over these lands, has been the equitable mode of their alienation to individuals. This is a matter which comes home to men's business and bosoms. There is no power exercised by the government, which is regarded with such jealousy, or should be exerted with so much circumspection, as that which reaches to the fire-side of the citizen—that which affects his *home*, and the maintenance of his family. Every thing else may be endured, if there be security, comfort, and abundance in our dwellings. Whatever other privilege we may resign, we will not suffer that of pursuing happiness, to be ever jeoparded.

The right to emigrate, is not only a natural, but a chartered right. Our citizens are secured in the privilege of removing from one state to another, as well as in the exercise of all rights in the state of their adoption, which they enjoyed in that of their recent citizenship. It is our policy to be one people; to throw wide open all the avenues of internal intercourse and trade; to leave private enterprise unshackled, and industry free to exert its energies, wherever they may be most usefully employed. We are an active and a migratory people, accustomed to independence, impatient of restraint, and unwilling to endure any discomforts, which may be removed by exertion, or escaped by a change of residence. We have no entailed rights to bind us to the spot of our nativity, and but slender hereditary attachments; and we not only highly value, but will maintain at every hazard, the privilege of seeking subsistence and happiness, wherever we please to think they may be found. We do not recognise the moral right existing in any body of men, to monopolise the soil which was given to us and our children by a bountiful Providence, to stay the footsteps of industry and the arts, or to shackle the advancement of letters, civilization, and Christianity. If we can ever justify our banishment of the Indian from his hunting grounds, it must be upon this principle; he was a monopolist, occupying more than he could use consistently with the good of mankind; he was a barbarian, hostile to the social, the useful, and the elegant arts of civil life. It is a legitimate exercise of governmental care, to respect such feelings, and cherish such rights; and if by design or accident, the government has possessed itself of the means of gratifying a national propensity, and of dispensing the blessings of a great national source of prosperity, it should pause, and reflect maturely, before it resigns a power so benign, and so extensive.

The settlement of the western lands, is a matter of national concernment; one in which all the states are interested in a greater or a less degree. To one they afford homes for her industrious poor, or enterprising youth, to another an outlet for her manufactures, to a third a market for her commercial im-

ports; while all are obliged to view them as the future birth-place of those millions of freemen, who will soon constitute the majority of the nation. We cannot shut our eyes to the truth, that in the proportion in which industry, moral habits, intellectual cultivation, and sound national principles, shall be planted and cherished in that region, will be the predominance of those virtues in the future guidance of our national councils. The history of other nations affords no parallel to that anomalous and magnificent process which is now going forward in our country. The nation is silently but rapidly building up its own future seat of empire. The howling wilderness, which our immediate ancestors viewed with carelessness, and partially explored with extreme difficulty and danger, is fast becoming the centre of power, the seat of wealth, the theatre upon which the nation in its matured vigour will exhibit its concentrated energies. *The nation*, as such, has a stake in the growth of this country which she cannot value lightly.

In her proprietary character, the government of the United States has been enabled to establish the boundaries of newly organized territories, so as to give to each future state its just limits. The country has been surveyed, divided, and prepared for sale, under a wise and uniform system. The tracts of land offered for sale, are all quadrangular, and of equal size; and the dividing lines being drawn in the direction of the cardinal points of the compass, can never be effaced, forgotten, or disputed. Mistakes can be corrected with mathematical facility, and certainty; and one point being ascertained, furnishes the accurate *datum*, from which an indefinite series of surrounding surveys may be retraced at any period, however distant. The sales have been conducted with system, impartiality, and publicity. The dweller in Maine or in Georgia, may by reference to public documents, know the contents and price of each tract of land in the West, and the time and place of sale, with as much certainty, as an inhabitant of the vicinity. The price of land is invariable. These are advantages which should have great weight in the public mind. If the citizens of the Atlantic States value the privilege of emigration to the westward, and the advantage of a fair competition in the market of new lands; and if the people of the Western States place a just value upon the security of their titles to real estate, upon the harmony which now prevails in its distribution, and upon the regular flow of that full and fertilizing tide of population, which is now pouring in upon them—they would pause, each of them would pause, before they would submit to the hazardous experiment, of a change of policy, which might give us confusion in the place of order, and entail upon us the reverse of all that we value, instead of what we enjoy.

The remarks of Mr. M^rLean, on this subject, though very com-

prehensive, are brief, and may be quoted at large. They are as follows :

"The sources from which the revenue has hitherto been derived, are the imports, public lands, and bank dividends. With the sale of the bank stock, the latter will cease, and, as the imports, according to any scale of duties which it will be expedient and practicable to adopt, will be amply sufficient to meet all the expenditure, that portion of the revenue heretofore drawn from the sale of the public lands may be dispensed with, should Congress see fit to do so.

"On this point, the undersigned deems it proper to observe that the creation of numerous states throughout the western country, now forming a most important part of the Union ; and the relative powers claimed and exercised by Congress and the respective states over the public lands, have been gradually accumulating causes of inquietude and difficulty, if not of complaint. It may well deserve consideration, therefore, whether at a period demanding the amicable and permanent adjustment of the various subjects which now agitate the public mind, these may not be advantageously disposed of, in common with the others, and upon principles just and satisfactory to all parts of the Union.

"It must be admitted that the public lands were ceded by the states, or subsequently acquired by the United States, for the common benefit ; and that each state has an interest in their proceeds, of which it cannot be justly deprived. Over this part of the public property, the powers of the general government have been uniformly supposed to have a peculiarly extensive scope, and have been construed to authorize their application to purposes of education and improvement to which other branches of revenue were not deemed applicable. It is not practicable to keep the public lands out of the market ; and the present mode of disposing of them is not the most profitable, either to the general government or to the states, and must be expected, when the proceeds shall be no longer required for the public debt, to give rise to new and more serious objections.

"Under these circumstances, it is submitted to the wisdom of Congress to decide upon the propriety of disposing of all the public lands, in the aggregate, to those states within whose territorial limits they lie, at a fair price, to be settled in such manner as might be satisfactory to all. The aggregate price of the whole may then be apportioned among the several states of the Union, according to such equitable ratio as may be consistent with the objects of the original cession, and the proportion of each may be paid or secured directly to the others by the respective states purchasing the land. All cause of difficulty with the general government on this subject would then be removed ; and no doubt can be entertained, that by means of stock issued by the buying states, bearing a moderate interest, and which, in consequence of the reimbursement of the public debt, should acquire a great value, they would be able at once to pay the amount upon advantageous terms. It may not be unreasonable also to expect that the obligation to pay the annual interest upon the stock thus created, would diminish the motive for selling the lands at prices calculated to impair the general value of that kind of property.

"It is believed, moreover, that the interests of the several states would be better promoted by such a disposition of the public domain, than by sales in the mode hitherto adopted, and it would at once place at the disposal of all the states of the Union, upon fair terms, a fund for purposes of education and improvement, of inestimable benefit to the future prosperity of the nation.

"Should Congress deem it proper to dispense with the public lands as a future source of revenue, the amount to be raised from imports, after the 3d of March 1833, according to the foregoing estimate, will be \$ 15,000,000 ; but, with a reliance upon the public lands, as heretofore, it may be estimated at 12,000,000 dollars, to which, as the case may be, it will be necessary to adapt the provision for the future.

"Whatever room there may be for diversity of opinion with respect to the expediency of distributing among the several states any surplus revenue that may casually accrue, it is not doubted that any scheme for the encouraging a

surplus for distribution, or for any purpose which should make it necessary, will be generally discountenanced. There is too much reason to apprehend that a regular, uniform dependence of the state governments upon the revenue of the general government, or an uniform expectation from the same source, would create too great an incentive to high and unequal duties, and not merely disturb the harmony of the Union, but ultimately undermine and subvert the purity and independence of the state sovereignties."

We shall remark upon some of the points here presented. The position that "the public lands were ceded by the states, or subsequently acquired by the United States, for the common benefit; and that each state has an interest in their proceeds," so fully accords with the views which we have expressed, as to require no further comment, than the tribute of our approbation.

But we are told that the relative powers claimed and exercised by Congress, and the respective states, over the public lands, have been gradually accumulating causes of inquietude and difficulty, if not of complaint. This is true; but before we assent to the necessity of applying the proposed remedy, let us examine whether the grievances complained of be real or supposititious. Have the people of the western country any just ground of complaint? Are they really dissatisfied? Forty years ago, the United States had not a single settlement west of the Ohio river, if we except a handful of inhabitants at the French villages on the Ohio and Mississippi; and in 1793, the army of General Wayne marched through Ohio, then a wilderness. So lately as 1812, the inhabitants of Indiana and Illinois, were so few in number, that they protected themselves with difficulty against the Indians. Tecumseh, with a little band of a few hundred warriors, kept the whole frontier in terror. At this time, the state of Ohio alone, contains nearly 1,000,000 of inhabitants; and the aggregate population of Ohio, Indiana, Illinois, and Missouri, by the census of 1830, but 1,576,920. If to these we add the states of Alabama, Louisiana, and Mississippi, in which the lands are similarly situated, and which have been chiefly settled within the same period, we have a population of 2,238,523, without including the territories of Michigan and Arkansas, which contain 50,000 more. In forty years, a region containing more than half a million of square miles, has been reclaimed from the dominion of the savage; seven states have grown up, and been admitted into the Union, and another is nearly ripe for admission; a population of more than two millions has been accumulated, consisting chiefly of the agricultural class, a large portion of whom possess freeholds, and all of whom are blessed with a greater degree of plenty, and burthened with fewer cares, than any other similar number of civilized people. Forty years ago, the canoe and the pirogue were the only boats on all the noble rivers of the west, with the exception of a few barges; since then three hundred

steam boats have been built in this region, with its native timber and minerals, and employed upon its waters. In 1826 the amount of capital invested in steam boats, by citizens of Cincinnati alone, was upwards of 500,000 dollars, the imports of that city were more than 2,000,000 of dollars, and the exports 1,000,000. In the same region are more than a dozen reputable colleges, to some of which are attached good medical, theological, and law schools. Books are published to a considerable extent. In Cincinnati alone, very many volumes a day, great and small, issue from the press. These, with a thousand other facts which might be mentioned, are surely not the indications of an oppressed people, or of a country crippled in its resources, or checked in its advance to greatness. Nor is this all. The public improvements that have been scattered over this valley, by the munificence of the government, however scanty they may seem to a sanguine and enterprising people, ardent in their views, ambitious in their public spirit, and impatient of delay in their march to power, have been worthy of a great nation. The Cumberland road alone is a monument of national beneficence. Designed to stretch through an extent of 800 miles; meandering for sixty miles through the cliffs and precipices of almost inaccessible mountains; intersecting the noblest rivers of the west, and crossing her fertile and extensive plains; studded in its whole length with elegant and durable bridges—such a work speaks more in favour of the advantages of the connexion between the western people and the government, than volumes of abstract argument. And this is but a part of what has been done. The shores of the northern lakes have been surveyed, and their facilities for commerce ascertained; immense sums have been laid out in improving the navigation of the large rivers; extensive grants of land have been made, to aid in the construction of roads and canals; in short, millions of money have been in various ways appropriated to advance the best interests of this favoured region.

Of what then do the western people complain? Are they taxed by the government? No. Are any precluded from voting, or ineligible to office? None. Do any starve, are any houseless, or naked, or in prison for debt? These are unknown evils. Are standing armies quartered among the people, or do the myrmidons of government eat out their substance? Nothing of all this. Do seed time and harvest fail? Does not the labour of the husbandman yield an abundant reward? Are his hard earnings riven from him by fraud or violence? Do oppressors grind the poor? Are not life and property secure? Is there any to molest or make afraid, the man who sits under his own vine? We need not pause for a reply: the face of nature, the condition of society, and the happy estate of man in this favoured region, teeming with abun-

dance, peace, and cheerfulness, all testify against the existence of individual distress, or civil misrule.

But complaints have been made; they are matters of record, and their nature being distinctly known, they may be easily examined. In the first place, it may be remarked, that the western people have sometimes been misunderstood, and have been considered in the light of dissatisfied remonstrants, when they only asked the correction of error, or the redress of an accidental grievance. Such were the petitions of several of the states, for exchanges of the lands given for the support of schools, when portions of them proved to be worthless. In most instances, we believe in all, valuable considerations were given by the states for those lands, and of course when large parcels of them were ascertained to be deficient in the value which they purported to bear at the time of the transfer, there was precisely that kind of failure of consideration, which would support an equitable, if not a legal claim upon the grantor. There have also been hundreds, perhaps thousands, of instances of individual grievance, which demanded legislative interference; wrongs for which existing laws provided no remedy, cases where titles to land have become forfeited by the mistakes of officers, or could not be completed in consequence of statutory defects, or inconsistencies. Laws intended to afford general relief, and framed with due care, have sometimes been so worded, as to omit whole classes of sufferers, who were thus thrown again upon Congress, in the character of petitioners. Nor can it be denied, that individuals have sometimes mistaken their remedy; that even meritorious individuals have sought that remuneration from the generosity of Congress, which was denied them by stern justice; that imaginary claims have often vexed the ear of government; that the dreams of self-love, and the speculations of the visionary and the avaricious, have often been intruded upon the public. When we consider the vastness of the public domain, the number of citizens interested as purchasers, as land holders, or as persons desirous to purchase, it will be seen that the petitions to Congress, must unavoidably be numerous, and that their number affords no indication of public dissatisfaction, or of an importunate spirit. The captious may indeed complain of importunity, and the indolent or undiscerning, whose want of information disables them from drawing the proper distinction, between claims of right and petitions for bounty, may turn a deaf ear; but such are not the conclusions of enlightened statesmen, or liberal men. Nor are these the *complaints* of the country; they are not grievances tending to disunion, or which ought for a moment to disturb the equanimity of either of the great parties to the question before us. They are claims of right, to be decided upon evidence; or they are supposititious demands, the rejection of which can excite no public irritation. The

whole of the cases to which we now allude, are, in short, analogous to suits at law, and we are not prepared to admit that the decision of the former, would ever cause public dissatisfaction, any more than the adjudication of the latter. The reader of the congressional proceedings, and even the member of Congress, who does not reflect sufficiently upon the peculiar connexion between the western states and the general government, may be startled at the *number* of the petitions presented to that body by western members, and draw unfavourable inferences from that fact; but the suggestions which we have thrown out will show the injustice of such deductions.

We have mentioned the above cases for the purpose of laying them out of this discussion, and narrowing down our remarks to the real points at issue. There is a class of demands, made on the part of the new states, which assume the tone of complaint; some of which have been tenaciously urged, and as resolutely resisted, and which are supposed to be capable of creating a high state of dissension. Let us examine these. They have been presented to the public, in the form of memorials to Congress; and if we touch upon all the causes of complaint which have been thus avowed, it is to be presumed that we shall have noticed all that exist.

1. A class of politicians have claimed for some of the states, the proprietary right to all the soil, not alienated to individuals, lying within those states. Having formerly noticed this doctrine at large, we shall add but little to what we then advanced, in relation to it. It has found few advocates. On the floor of Congress its existence was brief, its death sudden, its fate unlamented. In the public prints it has been scarcely noticed except to be disapproved. Notwithstanding its *ad captandum* character, it has failed to become popular, even in the country where it originated. An objection which seems not to have occurred to its authors, was too obvious to escape the common sense of the people. The government has the same title, and neither more nor less, to the unsold lands in the several states, which she had at the moment after the admission of those states into the Union. If her title is defective now, it was equally so at that time; and every sale made in any state since its admission, is illegal. The great mass of the land titles in the new states, would, by the admission of this doctrine, become unsettled. Of the million of inhabitants of Ohio, a vast proportion of the freeholders would become squatters on public land. The people are too intelligent to submit to such an outrage, the states too just to open a door for the ingress of such a flood of misery, confusion, and fraud, as would sweep over the land in the event of a consummation so devoutly to be deprecated.

It is a singular coincidence, and one perfectly conclusive to our minds of the little faith reposed by any in this claim, that

the legislatures of those states, which have wholly or partially sanctioned this doctrine, have invariably, at the same sessions, distinctly denied it in their acts of ordinary legislation, by the passage of laws recognising the "lands of the United States," *eo nomine*, by the adoption of memorials to Congress, asking for grants, and by various other substantive recognitions, both direct and incidental.

It is obvious too, that if this question can be said to have now any definite existence, its importance must be hourly decreasing. Every acre of land that is sold diminishes the amount in controversy, and every creation of a freeholder, adds to the number of its interested opponents. We think, then, that we are not mistaken in supposing that this is not a question which is likely to disturb the harmony of the republic.

2. Petitions to Congress for changes in the mode of selling land, and for reduction of the price, have been frequent. We have heretofore stated what we believed to be the opinions of intelligent men on this point. It is not admitted that government holds the public domain by the same right, or should offer it for sale on the same principles, which regulate the dealings of the individual holder of property. She acts as the trustee of all concerned. The state in which the lands lie is one party, and all the other states, another; the government, and the purchaser, have each an interest. Yet these are not conflicting, but harmonizing interests; and that policy which should advance them all, without leaning to either, would alone be wise. It is not expected that the government should drain the population from the old states, by offering inducements to emigration to the new; nor would she have the right to retard the settlement of the new states, by withholding the land from sale, or demanding for it an extravagant price. There are various reasons why the price of public land should be reduced to the lowest practicable point. It is good policy to increase the class of freeholders, to arrest the footsteps of the migratory poor, and settle them down upon the soil; to elevate the character of the citizen, by holding out to him the rewards of industry; to convert hunters and labourers into farmers; and to attach men firmly to the government under which they live, by making them holders of property. But these desirable results would be retarded, not advanced, by reducing the price of land too low, and by putting it at such a price as might induce capitalists to invest large sums in this species of property, thereby converting extensive tracts into private estates, to be withheld from sale, and from being inhabited, and to remain in unproductive wilderness, for long and indefinite periods. Again, these sales are to be conducted with impartiality; the interests of one state are not to be promoted in preference to those of another,

nor is any state to derive exclusive advantages from the governmental action over its property.

Such being the extensive, the complicated, and the important interests, involved in this branch of the subject, and the parties to be affected being so numerous, differences of opinion may well arise. But these are generally collisions of interest, and not controversies as to principles. The fundamental rules, which ought to govern these sales, are well settled, and thoroughly understood; but different classes of men, and the inhabitants of different sections of the country, entertain conflicting opinions as to their respective interests, and naturally seek advantages for themselves. Therefore we find a variety of modes of disposing of the public land, originating from various quarters, and advocated with untiring zeal, and admirable ingenuity. These plans would be found, in their general features, to be included under the following heads.

The division of the land into tracts of forty acres, instead of eighty acres.

A reduction of price.

A graduation of price, so that it shall be in proportion to the actual value of the soil, instead of being, as it now is, invariable.

The gratuitous donation of small tracts to actual settlers.

We shall not enter into detail upon these projects. It will be seen, that either of them may be adopted singly, or all of them embraced in one plan. They each have warm advocates, and in our opinion, each of them have merits, which entitle them to mature consideration. We hope to see all of them, perhaps with some modifications, adopted, and the broad lands of the west offered at a price as low as can be received, without tempting the cupidity of the moneyed speculator.

But should Congress reject all these propositions, will the western states have cause to complain? Have they any reason to consider themselves oppressed, by the adherence of government, to a system under which they have enjoyed such unexampled prosperity? Will the minority be so deficient in patriotism as not to submit cheerfully to the decision of the majority? Will the generous west, heretofore so loyal, so patriotic in the hour of danger, so proud of her rising greatness, tarnish her young fame by disobedience, or by being guilty of the weakness of indulging resentful feelings? Far from it. The people are not oppressed, and cannot be persuaded to fancy themselves the objects of oppression.

We have already shown that the western country at large is in a prosperous condition; and when we read some of those injudicious speeches in Congress, in which a contrary idea is held out, we are forcibly reminded of a beautiful Oriental fable. A prime minister who had grown grey in office, was sentenced to death, on suspicion of mal-administration, but in consideration of

his long service, his punishment was commuted, at his own request, to banishment to a deserted village. But on search, a depopulated village was not to be found in the whole empire. "Can that nation be badly governed," he exclaimed, "in which every village is prosperous?" He was reinstated.

A few facts on this subject will set this matter in its true light. Land is now sold in tracts of 80 acres, at \$1 25 per acre. For 100 dollars, an unimproved tract of 80 acres may be purchased. In any of the states west of the Ohio river, a labourer can earn 75 cents per day, and if his living be supposed to cost 25 cents a day, which in this plentiful country is a large estimate, he can, by the labour of *two hundred* days, or about *eight* months, purchase a farm. But as the working days in a year, excluding bad weather, would not amount to more than 200, it may be safely asserted, that a labourer can purchase a tract of 80 acres, by one year's steady labour. Again, a labourer can get his boarding and \$10 per month, the year round, which would amount to \$120, and if \$20 be deducted for clothing, he will in this way have earned the purchase money of a farm, in one year. All kinds of stock can be raised in that country with facility, and at little cost. A good horse is worth fifty dollars, a cow from five to eight dollars, a fat steer from ten to fifteen, and hogs two dollars per hundred pounds. A man then can purchase eighty acres of land, by the sale of two horses, or from eight to twelve head of cattle, or twenty to twenty-five hogs; and as individuals are not prevented from settling on the public land, but rather encouraged, the means are thus afforded to farmers of acquiring this property, previous to the purchase of land. Mechanics' wages are much higher; and those who work in the most *useful* arts, such as carpenters, blacksmiths, shoemakers, &c. are greatly needed. An individual of this class, may earn money enough to buy eighty acres, in *six* months. A person who teaches a common English school, receives three dollars per quarter for each pupil, and such persons are in great demand. A school of thirty scholars will yield ninety dollars per quarter, or \$360 per year. The school-house and fuel being furnished by the patrons, and boarding costing about one dollar per week, such an individual may in one year buy a tract of land. Let it be further taken into consideration, that the extensive public works now in progress, under the direction of the general and state governments, furnish employment, and high pay, to labourers and mechanics, and supply a circulating medium, and it will be seen that almost any man may buy a farm.

If then the people are not suffering material injury, but are really prosperous, would it be wise to change the existing system, merely because it may jar with some political theory of state rights, or jostle some abstract hypothesis, relative to the balance of power in our thriving family of republics? Will the

people suffer themselves to be deprived of the solid advantages in their possession, by the promise of benefits of doubtful value? Are the speculations of politicians to be for a moment weighed in the balance, against the rapid advance of the country, the peace, the security, the thousand blessings, which are not visions of the brain, but substantial present enjoyments? Above all, shall we be drawn into these delusions by imaginary distinctions, which are attempted to be drawn, between the state and federal governments, between governments, both of which are equally *ours*, and that have in fact no separate interests?

There is no *cause* of dissatisfaction. The second question which we proposed to examine, is in relation to the *existence* of that feeling. Is there, *in fact*, any discontent prevailing in the new states, towards the general government, in regard to the public domain? Ours is a country in which the murmurs of discontent are not suppressed, nor the hearty shout of approbation restrained. The oppressed find every where bold and able champions; the expression of public opinion is free, and the organs for disseminating opinions numerous. In the west, especially where the practice of stump-speaking prevails, and where candidates for popular suffrage are required to address the people, upon the various topics which agitate the public mind, the tone of public sentiment cannot be mistaken. Do we hear of tumultuous meetings, of inflammatory addresses, of attempts to nullify the acts of government, in these loyal states? On the contrary, although a high degree of excitability pervades the Union, and the slightest spark produces an explosion of indignant feeling, the western states are quiet. Tariff, masonry, nullification, vex them not. While the north and the south fright the land from its propriety, by the earnestness of their contentions, the west is in repose. As our nation laid the foundations of its greatness, while the rest of the civilized world was at war, so the new states are quietly gaining population, wealth, and power, while the old are wasting their energies in idle contention. It is true, that politicians, in the dearth of subjects for popular discussion, declaim in good set terms about the public lands, assert roundly that the country is embarrassed, and declare its liberties in danger, from the action of the general government. But where is the free country, or what the time, in which such harangues have not been made? They are "the cankers of a calm world and a long peace," the outbreaks of a restless ambition, which finding no excitement around it, endeavours to create the element in which alone it can live. But we assert, from an intimate knowledge of the western people, that a traveller may pass through the length and breadth of the new states, without hearing the public lands mentioned, in the tone of complaint, by *the people*. In particular districts, temporary excitements are gotten up, for

special purposes, which subside when those purposes are accomplished. But the people at large are well satisfied with the present arrangement. In no portion of the Union is there more of a *national*, and less of a *sectional* feeling, than in the west. The western people have grown up under the patronage of the government, they have fought under its banners, they feel identified with its fame, and their affections are entwined around it. They feel, too, the pride of conscious strength. In promoting the prosperity of the whole nation, they are building up that great community, whose destinies will one day be swayed by themselves. They cannot be jealous of the power of the government, any more than a son is jealous of the paternal authority, which will soon descend to himself.

We shall close this article, already longer than we intended, by adverting to the proposition to dispose of the public domain, to the several states, in which it lies. We should deprecate such a measure. Most of the arguments to be urged against it have been anticipated. If the present system teems with the advantages which we have enumerated, it would be inexpedient to relinquish them, for a measure of doubtful policy. If the "gradually accumulating causes of inquietude and difficulty," assigned as the chief reasons in favour of a change, are shown to be overrated or imaginary, those reasons cease to have weight. Let us examine the proposition a little more closely. One of the greatest advantages in the present system, is the *uniformity* which prevails in the price of land, and mode of sale. The lands of the government, although lying in different states, are all offered at the same price, the land offices are all organized alike, the manner of sale every where the same, and the regulations published by government are of general operation, and easily accessible. Should these lands become the property of the several states in which they lie, all this might be changed. One state might sell for cash, and another upon credit; one might determine to sell only to the actual settler, another might adopt a different arrangement; one might hold her lands at a high price, and another rate them low; or they might all engage in a ruinous competition, by endeavouring to undersell each other. That different systems would be adopted in the different states, we have ample reason to believe; and it is equally probable that those systems would be often changed. Publicity would be given to these several, and ever varying systems, through various different channels, and the emigrant would have to search the statute books and newspapers of a number of states, in order to ascertain the relative advantages offered to the purchaser. Should the states enter into a competition to entice population, there is no knowing where the confusion would end, or to what extent the fierceness of contention, or the sordidness of speculation,

might be carried ; and these sister states, now so united in feeling, so happy in their prosperity, so closely allied by juxta-position and interest, might become the theatre of jealousies growing from year to year, and ending in settled animosity.

Several of the states have had fearful experience of the evil of creating the relation of debtor and creditor between the government and its citizens. In Kentucky, the lands south of Green river, were sold by the state, to her citizens, upon credit. Instead of proving a blessing, they have been a curse ; instead of enriching her treasury, they have impoverished it. Every year brought the purchasers of land before the legislature, as petitioners, for extension of the time of payment ; and although thirty years have elapsed since the sales commenced, the same process is annually continued. The expenses of legislation eat up all the proceeds. Nor is this all. The "Green river claim," has become a standing theme, as everlasting as the famous case of Amy Darden's horse. A number of counties are now interested in it, in which members to the legislature can only be elected, under a pledge to become its advocates, and a party is thus formed, of which the members, however highminded, are obliged by circumstances, to unite in supporting a measure of local popularity, even at the sacrifice of high general interests. In Tennessee, a valuable reservation of lands, set apart to promote education, was sold in a similar manner, and the proceeds released, here a little and there a little, until nearly the whole has been squandered ; while the moral effect upon the ordinary legislation of the state, has been as pernicious as in the former case. In several of the states, banks have been created, and money loaned by the state to the people. In every instance, the effect has been the same ; a relief party has been organized, and prepared to appease the clamours of the people at every hazard. These instances all illustrate a simple proposition. Where the representative can confer on his constituent a pecuniary advantage, out of the public funds, there is a direct tendency to corruption. If the candidate for a seat in the legislature, can promise to sell lands to the voters at fifty cents an acre, for which the existing price is one dollar ; or where a majority are debtors, will promise to postpone the day of payment ; there will always be found men ready to become parties to such contracts. Such propositions, though at first made with caution, become sanctioned in the eyes of the people by frequent repetition, the doctrine grows popular, and candidates, always quicksighted in discovering the road to office, espouse it with zeal. Under the present system, we are free from such abuses. Of the twenty-four states which compose the Union, but seven are occupied by portions of the public domain, and if we suppose it possible for the representatives from these states to unite, in advocating measures of the character al-

luded to, there would be a controlling influence in the remainder, which would preserve the purity of Congress, and regulate the sales of land with impartial justice.

To conclude; we hope that the principles adverted to in the opening of this article, will govern the controversy, if a controversy it is destined to be, relative to the public lands; that sectional interests will not be permitted to mingle in the discussion; and that this noble domain, the heritage of the American people, purchased with their treasure, and peopled under the auspices of their government, will remain, at least for a time, under the disposal of the national legislature. Whenever the wisdom or liberality of Congress shall become questionable; whenever the public lands shall be unequally distributed, or their proceeds appropriated with partiality; whenever the Western States shall be oppressed, or the people shall believe themselves to be the subjects of oppression, we shall advocate the disposal of the lands to the states in which they lie; but not until then.

ART. II.—*The History and Geography of the Mississippi Valley. To which is appended a condensed Physical Geography of the Atlantic United States, and the whole American Continent. Second Edition.* By TIMOTHY FLINT. Author of "*Recollections of the last ten years in the Mississippi Valley.*" Cincinnati: 1832: E. H. Flint & L. R. Lincoln. Two volumes in one. pp. 740.

ALTHOUGH the author of this work is far from being unknown, as a writer, to the reading portion of the American community, it is with regret we are compelled to believe, that he is much less known and valued than he deserves to be. He is a striking instance of a truth, which has descended to us, through an ancient work, and on high authority, that a prophet is too often unhonoured in "his own country," and, we might add, in his own age. Singular as it may appear, and unfair as some are inclined to hold it, he has reaped a much richer harvest of applause, and we think of justice from the critics of Great Britain, France, and Germany, than from those of the United States. This is more especially true, as relates to his "*Recollections of ten years in the Mississippi Valley.*" That eloquent production (of which our country in general, and the West in particular, have reason to be proud) was made a theme of lofty praise, by the late Mr. Roscoe. That alone is fame. A touching narrative in it became the subject of a beautiful ode by Mrs. Hemans. Bla-

menbach, and other distinguished German scholars, have spoken of it with high applause; and the "Révue Encyclopedique," and several other French journals of rank and ability, have noticed it in terms of flattering eulogy. During all this time, while European presses have been thus liberal in their commendations of it, it has been but "coldly complimented" in the periodicals of America. True, a large edition of it has been circulated, read, and admired; and its judicious selection of topics, correct accounts, and vivid delineations, have led, greatly to their benefit and delight, at least one hundred thousand emigrants into the magnificent valley it so graphically describes. Still, we are constrained to repeat, that it owes but little of its popularity to the "recorded praises" of the American press.

But his "Recollections" are not the only distinguished production of the pen of Mr. Flint. He is the author of several others—novels—marked by strong traits of what the world calls genius.

The history of the writings of the late Charles B. Brown is known to most of the reading community of the United States. After many years of neglect and injustice, by his own country, their merit was first proclaimed in Great Britain. A handsome edition of them was soon afterwards issued from the London press. But, though his fame was thus established, justice came too late to relieve the wants, or minister to the gratification of the lamented author. That son of genius had been suffered to wither in the shade of cold indifference, not to call it absolute wrong, until death had rendered him insensible alike to the sting of censure, and the incense of praise.

Hitherto the fate of Mr. Flint has been somewhat similar. Too much neglected by his own countrymen, his real merit, as a writer, has been first fairly recognised in a foreign land. Several of his productions have been republished in England; copious extracts from others have been inserted in the journals of the continent; and arrangements are now making, in London, to issue there an edition of all his lighter works. Feeble as his constitution has always been, and somewhat impaired as his health is, at present, we trust that a more fortunate fate awaits him, than that which beset the gifted author of *Arthur Mervyn*; that, long before his descent to the grave, justice will be done to him at home, as well as abroad; and that he will realize, not only in fame, but in something more essential to subsistence and comfort, the full reward of his genius and labours. But we must forbear any further remarks on his general powers and character, as a man of letters. Our chief concern is with his *History and Geography of the Mississippi Valley*.

Not more than thirty years have elapsed, (perhaps not so much,) since the Rev. Dr. Morse gave to the world the first real

American Geography. Previously to that period, our country had been described, (might we coin a word for the occasion, we would say *dis-described*,) only by foreigners, who knew but very little more of it, especially of its interior, than we do of the localities of our sister planets. We have no intention to jest on so grave and interesting a subject; and that we do not speak extravagantly on it, appears from many well authenticated facts. One of the most popular English travellers in America represented Lake Erie as supplying the Ohio with water through the channel of the Miami! It is seriously stated, (we believe correctly,) that, during the late war, the British government sent over a complete apparatus, to furnish *fresh* water, by distillation, for the use of their lake-fleet! And it is not yet thirty years, since one of our own writers, whose talents were of a high order, but who had never visited Western America, gravely represented that the Missouri discharges itself into the Mississippi, below the mouth of the Ohio! Such was the condition of American Geography, at the commencement of the present century! The necessity of a new and correct work, on the subject, therefore, was pressing.

This want was, to a certain extent, supplied, by the Geography of Dr. Morse. But the supply was so limited, that much yet remained to be done. As respected the Mississippi Valley, almost every thing thus remained. To collect materials for a geographical account of the Atlantic states, the reverend author travelled not a little, and corresponded much more. His circulars of inquiry overspread the country, and were replied to with a promptitude and liberality, important to him, and creditable to the inhabitants. The project of writing an American Geography was new, and interested every one. Every one, therefore, felt anxious to promote it; the more so, as, by communicating information for it, he considered himself, in some measure, a participator in the work. From the vanity of some, therefore, the kindness of others, the pride of many in displaying their knowledge, and the propensity of all to talk and write, an unusual mass of matter, most of it fresh, and much of it correct and valuable, was in time collected. This enabled the pains-taking and indefatigable American to correct the errors of European writers, and to describe a large and important section of our country *as it is*; not as it *had been fancied to be*, by those who had never seen it. It supplied him with the necessary materials to convince the people of foreign nations, of what they seemed scarcely sensible before, that the United States are formed like other parts of the world; that we have our mountains, hills, plains, and valleys; our rich lands and poor lands, roads and wildernesses; that our lakes and seas are below the level of the regions adjacent to them; and that, therefore, our rivers flow into them, instead of running out of them toward higher ground. As respected the Atlantic states, there-

fore, the Geography of Dr. Morse was a very useful work. Although marked by none of the higher qualities of genius, it was rich in the fruit of industry and patient research. If its style was neither eloquent nor vigorous, it was simple and perspicuous, and well fitted to convey elementary knowledge. As far as it extended, or rather, as far as the author had an opportunity to extend his inquiries through suitable channels, it was a creditable performance, and tended to raise the American character. But, as already mentioned, Dr. Morse was acquainted only with the Atlantic states. He had never visited the west, and had but few enlightened correspondents there. Of that vast and splendid region, therefore, his knowledge was extremely limited. We would be justified in saying, that he had no correct knowledge of it at all. Had he said nothing about it, his book would have been scarcely injured by the omission. However fair his claim may be, then, to the title of the Father of American Geography, his work pre-occupied but a small portion of the spacious and fruitful field, whose cultivation he began.

Our next geographical writer, of any note, was Mr. Mellish, who, inferior to Dr. Morse, in some respects, surpassed him in others. He travelled through many of the states, was a man of observation, and, though a foreigner, and of but a limited intellect, added not a little to the extent and accuracy of our knowledge of the localities of our country. But his work, as a whole, was very imperfect. On many particulars essential to his subject, and important in themselves, he was entirely silent, or treated them so briefly, as to convey no useful information to the reader.

The "Views" of Mr. Darby abound in general information, of sufficient interest, and might be called the abstract and theoretical geography of the country. But they are much better suited to scholars and men of science, than to common readers. They convey comparatively but little information, on points of particular and practical geography. The "million," to whose wants, tastes, and uses, geographical writings should be carefully suited, pay but little regard to matters of theory—how the earth, the lakes and rivers, the rich alluvion, and the sterile lands were formed. Nor do they inquire curiously into the sources of winds and tides, rain, hail, and snow, the mean temperature or the vicissitudes of climates, and other atmospheric and meteorological phenomena. Their desire is to know *facts*, rather than *causes*—*how* things are, rather than *why* they are. They wish to be informed, whether a country is fertile and what are its products, whether it is healthy and well watered, especially whether it is intersected by navigable streams, what are the size and situation of its chief towns, what their distances from each other, and their modes of intercourse, and what its general distance from a ready market. In fine, their only solicitude is to learn, what are the

solid advantages of a country, as a place of residence. And of this, Mr. Darby, in his "Views," has not informed them. Another work, on Louisiana, by the same author, contains no small share of useful information, intermingled with perhaps an equal amount of irrelevant matter, and desultory harangue. For the titles of several other productions of merit, on the topography and geography of the western states, to which Mr. Flint has acknowledged himself indebted, as sources of compilation, the reader is referred to the preface of the work we are examining. But, notwithstanding the existence of those publications, so limited has been their circulation, and so little have they been read, even in our own country, that, until very lately, the great mass of the population of the Atlantic section of the Union have known much less of the Mississippi Valley, than of most parts of Europe; and not much more than they have of Patagonia, or of the interior of India, beyond the Ganges. So great has been the want of correct geographical information respecting a region, where nature appears in surpassing grandeur; the fertility of whose soil, in general, has no parallel, in any other country; and which is destined to contain, before the close of the nineteenth century, a population superior in number to that of Great Britain and France, at present!

To supply this want, Mr. Flint has been labouring assiduously for several years. He began with his "Recollections," to which we have already referred, and which appeared in the year 1826. In 1828, he published, in two octavo volumes, his "*Condensed Geography and History of the Western States, or Mississippi Valley.*" And this year has been issued from the press the work we have now under our consideration.

Although the production is entitled the "second edition" of the "History and Geography of the Mississippi Valley," it is so modified, and we may add, improved, as to be virtually a new work. Much of the purely historical portion of the first edition is rejected, and almost an equal amount of geographical matter added. The style is likewise altered, by being more condensed, and reduced to greater simplicity. But the chief improvement of the work consists in its greater maturity, a more judicious selection of topics, their better arrangement and keeping, in relation to each other, and its larger amount of that kind of information, which the main body of readers are most interested in possessing. The additions made to it, in this respect, are extensive and important. The production is valuable in all its parts; but its highest merit arises from the vivid delineation, and the ample and accurate account it gives of the Mississippi Valley. Previously to attempting an analysis of it, therefore, we shall offer a few general remarks on some of the distinctive fea-

tures of that vast and splendid region, as contrasted with the Atlantic section of our country.

In the "far west," most things wear a character of higher grandeur and intensity, than on the east side of the mountains. Nature has a deeper and richer dash of poetry in her composition. Her domain is wider and wilder; and if her attire is less trim and symmetrical, it is more opulent in colour, and magnificent in drapery. She is enthroned in more queenly pomp and splendour; and the beauty and gorgeousness of her gardens, parks, and pleasure-grounds, not only satisfy the senses, but feast them to satiety.

Being free from the haze of the ocean, and other large bodies of water, the atmosphere is more pellucid than along the Atlantic border. Hence the blue of the heavens is purer and deeper, and their arch loftier and of wider compass to the eye. For the same reason, the moon and stars have greater brilliancy. This is known to be still more remarkably the case in latitudes nearer to the path of the sun, until, within the tropics, the atmosphere assumes its greatest transparency.

The meteorology of the west is somewhat peculiar. It can scarcely be said that any *governing* wind prevails there. Changes of the weather are not strongly indicated by any well known phenomena of the heavens. They cannot therefore be readily foretold. They occur unexpectedly, often without an apparent cause, though such cause certainly exists. The temperature is frequently mild until midnight, or later, but becomes severely cold before morning, without the occurrence of a cloud, or any unusual commotion in the atmosphere. Notwithstanding this, the weather is less changeable, and the climate more uniform, (we mean as relates to heat and cold,) than in the Atlantic states.

The opinion has been entertained, that, in corresponding latitudes, the temperature is higher in the Mississippi Valley than between the mountains and the Atlantic. This we apprehend is an error, to the establishment of which the writings of Volney and other theorizing travellers have contributed. It is said by those writers, that the tropical winds pass up the Mississippi Valley, and temper, by their warmth, even the atmosphere of the lakes. We believe it is not so. If the region immediately around the lakes be milder than strictly comports with its latitude, the cause is to be found in the well known influence of the adjacent large bodies of water. Such bodies, when free from ice, (the case with our lakes in common seasons,) always moderate the cold of winter, and the summer heat. But, be the causes what they may, the thermometer indicates less heat in summer, and more intense cold in winter, in the Mississippi Valley, than in corresponding latitudes on the east side of the mountains. The latter fact clearly appears, from the occurrences of several winters that might be referred to. During the severe weather of the last winter, the

mercury sank, in Lexington, Kentucky, to 14°, in Nashville, Tennessee, to 17°, and in a neighbouring town, in the same state, (Shelbyville we think,) to 19° *below zero*. We have heard of nothing to equal this, in the same latitudes, in the Atlantic region. Why the cold was more intense in Tennessee than in Kentucky, (the former being two degrees farther south,) we do not know. We report the facts as we received them, and believe them to be correct. There is a circumstance not extensively known, or, if known, not usually adverted to, which perhaps contributes somewhat to lower the temperature of the Mississippi Valley. That region is more elevated above the general level of the ocean, than the lands of the Atlantic border. This appears from a well known fact. Rivers flow only down an inclined plane. The Gulf-stream is a great marine river, commencing in the Gulf of Mexico, and terminating at the banks of Newfoundland. Its head waters in the gulf, therefore, must be higher than the surface of the ocean, near our coast, along which it flows. But the eastern portion of the Atlantic states is nearly on a level with the ocean-waters which wash it. It is therefore lower than the waters of the Gulf of Mexico, which are again below the level of the Mississippi Valley, whose rivers they receive. It follows, of course, that the general surface of that Valley is higher than the surface of the eastern section of the Atlantic states. We need scarcely add, that, other things being equal, a tract of country more elevated than another above the level of the ocean, is, on that account, cooler.

The equinoxial gales and rains do not occur so regularly in the Mississippi Valley, as they do east of the mountains. But the country is more frequently visited by tornadoes, or a sort of typhoons, which sweep along, in narrow veins, with a force that prostrates forests, demolishes houses, and scatters, like chaff, other fabrics of art, in common with the products of the field. The traveller often meets with the paths of those wild and terrible gushes of wind, where scarcely a tree has withstood their fury. They are sometimes accompanied, along their edges, by eddy-currents, which dash down trees in the opposite direction to that of the main stream.

The Atlantic states have nothing to compare with the rivers of the west. The length and depth of those mighty streams, the boldness of their present shores, and the loftiness of the cliffs, which run parallel to them, and once constituted their banks, are matters of peculiar majesty. When swollen by the floods of spring, overflowing their usual boundaries, inundating their low grounds, at times to the width of miles and leagues, uprooting trees like grass, and bearing them, as stubble, on their bosoms, they present a scene of fearful sublimity, which can scarcely be surpassed. On these occasions they frequently sweep off whole

acres of their banks, loaded with gigantic timber, from some points, and pile them up, in majestic confusion, on others. Now, they cover their shores, to a great depth and distance, with sand or rich vegetable mould, and again wash them away, leaving their beds ragged and bare. In other instances they form for themselves new channels, converting their old ones into stagnant ponds, or waterless canals. Such are their power, and the ravages and mutations they often produce.

The trees of the west have no equals in size; and, in depth and magnificence, the forests are unrivalled. Whether it be viewed while under the blossom of spring, the leafy luxuriance of summer, or the variegated and splendid garniture of autumn, the western landscape is unmatched in beauty. When glowing, in particular, in its autumnal garb, it is scarcely surpassed in richness and radiance by the splendours of the morning or evening sky. Those who have gazed on it when gilded with sunbeams, will perceive no just ground to charge this representation of it with extravagance.

Another sort of landscape, not so picturesque and romantic, at least not so bold in its outline, and so diversified in its features, yet scarcely less delightful to the eye, is formed by the great western prairies. To communicate to readers who have never seen them, a just conception of those resplendent and illimitable flats, on whose distant borders the arch of the heavens seems to rest, is impossible. But the attempt, however hopeless, may be made. Let us fancy ourselves, then, in the midst of one of them, in a clear summer day, when vegetation is in its prime. Above, is the blue sky, radiant with the sun, and, on every side, the eye reposes on an ocean of blossoms, gorgeous in colour, delicious in fragrance, and, for aught that is discoverable, without a shore. Is it calm? The surface is unruffled, and all is still and silent, as if nature were at rest. Does a breeze spring up? Every thing is in motion; and the living sea around us, thrown into easy and graceful fluctuations, presents a succession of fleeting pictures, which seem to chase each other in sport, and, varying at the pleasure of the capricious wind, fascinate the eye with their ever changing forms. There is one plant in particular, the product of some of the prairies, which, when in abundance and perfection, constitutes one of the richest ornaments of the landscape. It is the wild heliotrope, with large flowers of gold and bronze. Its growth is lofty, and thousands of acres are, at times, so densely covered by it, that other plants are scarcely visible. Like all its congeners, it inclines toward the sun, the circumstance from which it derives its name. An entire wilderness of so splendid a production, thus bowing in homage to its parent luminary, and gracefully following him as he moves along his path, forms a pageant, not only of great beauty, but eloquent in expres-

sion, and rich in moral suggestion. To those who delight in such scenes, the sight of it is worth a journey to the west.

The vegetation generally of the western states, is vigorous and luxuriant, far beyond that of any other portion of our country. This is particularly the case in the alluvial soils, which are there so abundant. The size of the forest-timber, which is immense, has been already referred to. Some of the trees, especially the sycamores, could they be transported entire from the banks of the Ohio, would be visited as wonders in the Atlantic states. One of them is *seventy-two feet* in circumference. This is probably THE GIANT of the Valley. Many sorts of trees have a much greater luxuriance and length of limbs, in proportion to the dimensions of their trunks, in the western, than in the eastern states. This gives them beautiful and picturesque fan-tail tops. Their roots have also a corresponding expansion. Even the fruit trees have somewhat of this configuration. The size of grape-vines is scarcely less surprising than that of trees. Some of them are forty-five inches in circumference. We ourselves measured one which was thirty-six. Another vegetable wonder is the canebreaks, interwoven with creepers and vines, and other impenetrable entanglements, overshadowed by colossal and clustering trees, along the banks of the Mississippi. The ground, which is a mass of river alluvion, might be almost deemed insufficient to sustain such a load. Never, until we witnessed these productions, had we conceived of such fertility of soil, or such power of vegetation. But we live in a checkered world, where contrast reigns, and excellencies are counterbalanced by defects. The rapid and luxuriant growth of western timber detracts from its value, by rendering it more perishable, in houses and other structures, and also more speedily consumable, as fuel. As fire-wood, a cord of Atlantic hickory is equal, we think, to a cord and a half of the best wood of the west—perhaps more. Owing to the looseness of its texture, most kinds of western wood are readily convertible into charcoal. We have been told that it furnishes an unusual proportion of potash; and some sorts of it, especially a species of ash, emits, when burning, a much bluer flame than we have ever witnessed from any other wood. The leaves of the forest trees, when they fall, in the autumn, do not so long cover and encumber the ground, in the western states, as they do in those of the Atlantic region. Be the cause what it may, they pass much sooner into vegetable mould.

In our notice of the western landscape, we would have been justified, we think, in paying more attention than we did, to the Ohio hills. There is much that is peculiar and majestic in them. Although the hills of some other rivers resemble, we have seen none that equal them. The highlands of the Hudson, though more abrupt, and, in a few points, loftier, are too limited, in their

range, to bear a comparison with them. They are also greatly wanting in vegetable life, a circumstance which detracts not a little from their interest and beauty, and gives them a cold and cheerless aspect. The Ohio hills range many hundreds of miles, along the beautiful river, which gives them their name, often constituting its immediate banks, but generally running at a short distance from its margin. Their construction is singular, consisting in a chain of eminences several hundred feet high, with regular depressions between them, the whole presenting a lofty and waving ridge, of composed amenity and pleasing uniformity. Their sides are densely wooded, from their base; and a line of tall and graceful trees, with interweaving branches, springing from their summit, forms for them a suitable and majestic crest. The blue of the distant sky, or the sunny clouds of morning and evening, seen through this magnificent lattice-work of trunks and their ramifications, by the voyager on the river, add greatly to the rich and picturesque beauty of the scenery. It is especially the brilliant and contrasted hues of the fading foliage of these hill-trees, that give such variety and unrivalled beauty to the autumnal landscape of "La Belle Riviere." While gazing on these majestic "hills," now so rich in their native garniture, the contemplative traveller, who looks into future years, derives additional delight, from the belief, that, at no distant period, they will be equally rich in the garb of cultivation, studded with comfortable dwellings, and clothed in fruitful vines.

The climate of the Mississippi Valley is salubrious, except along the low tracts of alluvion, which border the rivers and smaller streams; and, there, skilful agricultural improvement will render it so. The hill and plain country, generally, is as healthy as any other portion of the United States. Of the truth of this, the number, sprightliness, and vigour of the children born and nurtured there, give sufficient evidence. Western families are proverbially large. What may be the effect of the climate of the entire valley, on the human race, when the constitution of future generations shall have fairly conformed to it, we pretend not positively to predict. We do not doubt, however, that it will be favourable. Were it admissible in us to discuss the subject, reasons might be given, to authorize the belief, that the western population will be a noble one. It will be long before luxury can corrupt and enfeeble it. Industry and frugality will render the inhabitants active and hardy; and a steady disposition to observe and inquire, will supply them with knowledge. Nor is this all. Man is improved, in his person and character, like his domestic animals—by a sufficient supply of wholesome food, a free and pure atmosphere, liberal exercise, and skilful training. A country of health and plenty is always stocked with a vigorous race of men, and of such domestic animals, as are carefully reared in it.

The reverse is equally true. In a sickly country, or a sterile one, where food is scarce, nothing can thrive. Man, in common with other animals, is reduced in his stature, strength, and efficiency. To this there is no exception; nor can there be, under the present economy of nature. In a country of such health and abundance, as the Mississippi Valley, therefore, man can scarcely fail, under a system of suitable training, to attain the full perfection of his nature.

Respecting the works of improvement and art, in the Mississippi Valley, we shall say but little. No language we could venture to employ, would convey to the people of the Atlantic states a correct knowledge of them. To be known for what they are, they must be seen. Their growth has been as surprising, as that of the products of the soil; and some of them are almost as gigantic. This is especially true of steam navigation. The state of that invention, as now exhibited on the Mississippi and its tributary streams, is inconceivable to those who have not witnessed it. The world besides has nothing of the kind to compare with it, in grandeur. Architecture in some parts of the west, especially in Cincinnati, is also imposing. Within the last few years edifices have been erected there, which would be striking and ornamental, in any part of the Union. After all, however, it is in country situations, that the great work of human improvement is fully displayed. There, the deepest and weightiest forests fall, as by magic, under the axe of the woodman; and, with equal suddenness, the fruits of agriculture spring up, in their stead. The frowning wilderness of the autumn, prowled over by beasts of prey, is a collection of smiling fields, in the spring, trodden by the flocks and herds of the husbandman. But we have withheld too long, from the reader, the requisite account of the work before us.

Our author's object is, to furnish a true and living picture of every thing essential, that enters into the *composition of a country, and makes it what it is*. He endeavours, therefore, so to paint all places, of which he speaks—so to group and represent things visible, and so to express qualities and circumstances, that the reader may be able to form, as far as language can be made available to that effect, the same views and opinions of such places, and to judge of them as correctly, as if he had himself visited them. And, that he has been eminently successful in his effort, a few extracts from his book will demonstrate.

He begins, very properly, with a representation of the general features of the Mississippi Valley. In this he is alike copious and instructive, seizing on the most prominent objects and qualities, and exhibiting them faithfully. His description of the river Mississippi is decidedly the most accurate, full, and graphical, that has ever been given. Such is the opinion of the most com-

petent judges. He traces that mighty and majestic stream, in all its windings; following and delineating it in its varying aspects, until he has unfolded its entire character, as nature has formed it. The reader almost fancies the river before him, with its "points and bends," its high bluffs in one region, and its cottonwood and willow groves in another, now forming bars and islands, by its "drift" and "deposits," and again sweeping them away, by its resistless waters. The description, beginning vol. i. p. 86, and terminating at p. 103, is too long to be extracted entire. We shall quote only a single paragraph of it—that which depicts the junction of the Missouri with the Mississippi, as seen from the Mamelles, or Point Prairie, below St. Charles. If we mistake not, that brief specimen will induce the reader to turn with avidity to the perusal of the whole.

"Opposite the mouth of the Missouri, the American bottom terminates, and the bluffs come into the river. The bluffs bound the eastern bank of the river thence to the mouth of the Illinois. From these bluffs we contemplate one of the most impressive and beautiful landscapes in the world. On the opposite side the mighty Missouri is seen, bringing its turbid and sweeping mass of waters at right angles to the Mississippi. The eye traces a long distance of the outline of the Missouri valley, bounded on either side with an indistinct and blue line of hills. Above it is the vast and most beautiful Mamelles prairie, dotted with green islands of wood, and skirted at the farthest ken of the eye with hills and forests. Above you, on the same shore, is the valley of the Illinois, itself bounded by lofty and magnificent bluffs of a peculiar character. The river brings in its creeping waters by a deep bed, that seems almost as straight as a canal. You have in view the valleys and bluffs of two noble streams, that join their waters to the Mississippi. You see the Mississippi changed to a turbid and sweeping stream, with jagged and indented banks, below you. You see its calm and placid waters above the Missouri. On the opposite prairie, there are level meadows, wheat fields, corn fields, smokes ascending from houses and cabins, vast flocks of domestic cattle,—distinct indications of agriculture and improvement blended with the grand features of nature. There are clumps of trees, lakes, ponds, and flocks of sea fowl, wheeling their flight over them: in short, whatever of grand, or beauty, nature can furnish to sooth, and to enrapture the beholder."

The author, though born and educated, and long resident, in the eastern section of our country, entertains a very different opinion of the Indian character from that maintained by most of his fellow citizens, whom he left behind him, when he emigrated to the west. It would be idle to discuss the point, which of the parties, the emigrant, who has mingled with the savages, or the stayers-at-home, who have never seen them, has had the best opportunity to learn the truth. The following extract contains his sentiments on that subject.

"Their [the Indians'] impassible fortitude and endurance of suffering, their contempt of pain and death, invest their character with a kind of moral grandeur. It is to be doubted, whether some part of this vaunted stoicism be not the result of a more than ordinary degree of physical insensibility. It has been said, with how much truth we know not, that in amputation and other surgical operations, their nerves do not shrink, or show the same tendency to spasm, with those of the whites. When the savage, to explain his insensibility to cold, called upon the white man to recollect how little his own face was affected by

it, in consequence of constant exposure, the savage added 'my body is all face.' This increasing insensibility, transmitted from generation to generation, finally becomes inwrought with the whole web of animal nature, and the body of the savage at last approximates the insensibility of the hoofs of horses. Considering the necessary condition of savage existence, this temperament is the highest boon of Providence. Of course no ordinary stimulus excites them to action. Few of the common motives, excitements or endearments operate upon them at all. Most of the things, that move us, they either do not feel, or hold in proud disdain. The horrors of their dreadful warfare; the infernal rage of their battles; the demoniac fury of gratified revenge; the alternations of hope and despair in their gambling, to which they are addicted, even beyond the whites; the brutal exhilaration of drunkenness;—these are their pleasurable excitements. These are the things, that awaken them to a strong and joyous consciousness of existence. When these excitements arouse the imprisoned energies of their long and sullen meditations, it is like Æolus uncaging the whirlwinds. The tomahawk flies with un pitying and unsparing fury; and the writhing of their victims inspires a horrible joy. Let the benevolent make every exertion to ameliorate their character and condition. Let Christianity arouse every effort to convey her pity, mercy, and immortal hopes to their rugged bosoms. But surely it is preposterous to admire the savage character in the abstract. Let us never undervalue the comfort and security of municipal and civilized life; nor the necessities, charities, and endearments of our own homes. The happiness of savages, steeled against sympathy and feeling, at war with nature, with the elements, and with each other, can have no existence, except in the visionary dreaming of those, who never contemplated their actual condition."

To what our author has here said, we shall add, that we know of no point of discussion, respecting which there is a greater amount of error afloat, or of empty declamation indulged in, than that of the character of the Indians, and the prospect of bringing them to a state of civilization. In the political bearings of this vexed and ill-omened question, we take no part. We do not, however, hesitate to express our conviction, that, next to extirpating them with the rifle, the speediest and most infallible scheme to annihilate the savages, is to place them, *in any way*, in the midst of the whites. To this truth, all experience testifies. Into its causes, we cannot now pause to inquire. We are permitted only to state the fact.

The following comprehensive and well drawn picture of the bounties of nature to the Mississippi Valley, and of the future prospects of that great country, is alike vivid, bold, and cheering.

"From the general fertility of the soil, and the abundance with which it yields all the supplies of life; from the comparative rareness and small proportion of sterile, mountainous, and marshy lands, that can not be easily brought into cultivation; no thinking mind can have failed to foresee, that this country must and will ultimately sustain a great and dense population of farmers. Taking into view soil, climate, and the means of easy communication, the most material and natural elements upon which to calculate, in regard to future increase of population, and no country can be found, which invites increase more strongly, than ours. In half a century, the settled parts of it will, probably, have become as healthy as any other country. In that lapse of time, it can hardly be sanguine to calculate, that by improving the navigation of the existing rivers, by the numerous canals which will be made, in aid of what nature has already done, in a region where there are no mountains and few high hills, and no intermixture of refractory granite; where the rivers, which rise almost in the same level, interlock, and then wind away in opposite directions; where, from these circum-

stances, and the absence of granite hills, canals can be made with comparative ease; that the country will be permeated in every direction, either by steam-boats, or sea vessels towed by them, or by transport conducted by rail-road power. No country, it is generally supposed here, can be found, which contains so great a proportion of cultivable and habitable land, compared with the whole extent of its surface. Humboldt, so well qualified to judge by comparison, has pronounced it the largest valley in the world. It has a less proportion of swamps, sterile plains, and uncultivable mountains, than any other region of the same extent. When it shall have been inhabited as long as Massachusetts and Virginia, what limits can imagination assign to its population and improvement?

"No one can fail to have foreseen, at this time of the day, that the period is not far distant, when the greater mass of the population of our country will be on this side the mountains. We would not desire, in anticipation, to vex the question, where the centre of our national government will then be? We are connected already with the Atlantic country by noble roads. We shall shortly be connected with the Hudson, Delaware, and Chesapeake bays, by navigable canals. A rail-road between Baltimore and the Ohio, is in rapid progress, and thousands have travelled on the first completed section. Our different physical conformation of country, and the moral circumstances of our condition, have assigned to us, as we think, agriculture, as our chief pursuit. Suppose manufactures to flourish among us to the utmost extent, which our most honest and earnest patriots could desire, and we should still, as we think, find ourselves bound by the ties of a thousand wants, to the country north and east of the mountains. The very difference of our physical and moral character contributes to form a chain of mutual wants, holding us to that region by the indissoluble tie of mutual interest. At present, the passage of the mountains, formerly estimated by the Atlantic people something like an India voyage, and not without its dangers, as well as its difficulties, is no more than a trip of pleasure of two or three days. We shall soon be able to sail, at the writing desk, or asleep, from New-Orleans, Fort Mandan, or Prairie du Chien, through the interior forests to the beautiful bay of New-York. The time is not distant, when the travelled citizen of the other side the mountains will not be willing to admit, that he has not taken an autumnal or vernal trip of pleasure, or observation, from Pittsburgh to New-Orleans. The landscape painter and the poet will come among us, to study and admire our forest, river and prairie scenery, and to imbibe new ideas, from contemplating the grandeur and the freshness of our nature.

"For us, as a people, we look over the mountains, and connect our affections with the parent country beyond, by the strong ties of natal attachment; for there, to the passing generation at least, was the place of their birth. There still live our fathers and our brethren. There are the graves of our ancestors; and there are all the delightful and never forgotten remembrances of our infancy and our boyhood. We have hitherto been connected to that country, by looking to it exclusively for fashions, models and literature. The connexion will remain, not as we hope, a slavish one; for duty, interest, and self-respect imperiously call upon us to set up for ourselves, in these respects, as fast as possible. But as younger members of the family, thrust into the woods, to give place to those, who had the rights of primogeniture, and obliged to find our subsistence by cutting down the trees, we have as yet had but little leisure to think of any thing, beyond the calls of necessity, and the calculations of immediate interest and utility. As soon as we have the leisure for higher purposes, we shall be unworthy of our family alliance, if we do not immediately institute a friendly rivalry in these respects, which will be equally honourable and useful for each of the parties. We know our rights, and we are able to maintain them. It is only the little minded and puny, that allow themselves to indulge in a causeless and fretful jealousy. There must be a real, palpable and continued purpose to undervalue us, and curtail our rights, and arrest our advancement and prosperity, before we would allow ourselves to remember our great chain of mountains, and our world by itself. Our patriotism has been tampered with, more than once, even in our infancy. We came forth with honour from every trial. Every link of the golden, and, we hope, perpetual chain of the Union, will be grasped as

firmly by the citizens of the West, as of the Atlantic. We flatter ourselves, that we have had uncommon chances to note the scale of the western thermometer, in this respect. We have every where seen and felt a spirit, which has given us the assurance of conviction, that the popularity of that demagogue would be blasted, and would wither for ever, who should for a moment manifest the remotest incipient wish to touch the chain of this Union with an unhallowed hand. The interests and affections of the western people hold to that, as strongly, and as proudly, to say no more, as those of the East. From time to time, demagogues will spring up, and atrocious and unprincipled editors will be found, to meditate any thing,—and to dare to inculcate, and write, and publish what they meditate. But the strength and virtue of the community will never bear them out.

“Wherever attempts may be made to disaffect, alienate, and sever one section of this great Union from the rest, may God avert the omen! that attempt will not commence with us. They may reproach us with being rough, untrained, and backwoods men. But as a people we are strong for the union, and the whole union. Every true son of the West will join in the holiest aspirations, *‘ævo perpetua.’* May it last as long as the sun and moon shall endure.”

In these times of trouble, contradiction, and doubt, with respect to the character, and fate of the Bank of the United States; whether, as a blessing to the country, it ought to be sustained, or, as a curse, to be erased; whether it be constitutional or unconstitutional, favourable to republican principles or the reverse; in such an unsettled condition of things, it may not be amiss to apprise the reader, of the views of our author, as relates to the effects of that great institution, on the prosperity of the west. A few paragraphs will be sufficient for this purpose.

“In furnishing a remedy for the incalculable mischief and misery occasioned by universal want of confidence in the local banks, and bank paper, the only currency suited to the wants of the west, no influence was felt to be so prompt and salutary, as the establishment of branches of the bank of the United States among us. It would be easy to show, that local and state banks, however they may meet the necessities of commerce, when established in large commercial towns, with extensive capital always promptly convertible into specie, and however they may be adequate to furnish a sound currency for a narrow circle in their immediate vicinity, are not suited to the position, and the extensive, distant, commercial relations of the west. Although this country abundantly possessed that, for which money and bank paper stand as the representatives, our distance from the emporiums of commerce on the sea-board, and their dear bought experience of the former worthlessness of our banks, forbade reasonable expectation, that our local paper could be received as a sound currency beyond the immediate vicinity of its issue. In this establishment was provided a banking system, much better adapted to the wants of an interior country, than of the maritime capitals, enabling the people to obtain loans commensurate with their established credit, and to find in the post-office the medium of sure and prompt remittances of a circulation every where uniform, and enabling the remotest western dealer to remit to the most distant Atlantic town, and to receive remittances at his writing desk. Western travellers, too, rapidly increasing in numbers, passing to the remotest points, were relieved from the intolerable annoyance of dealing with a broker at the interval of every hundred miles, and continual altercations at taverns and stage-offices, as often reminded, that a citizen in one district was a stranger in another of the same country.

“Between the general failure of the western banks and the operation of this system, western dealers were driven to the extremely burdensome and precarious resource of specie in their foreign transactions. Business and trade were brought to a dead pause. Words would be unavailing to convey an idea of the

embarrassment and distress occasioned by this order of things. The evils were spread along a course of two thousand miles; and were experienced in the remote cabins, as well as the towns, and villages on the rivers. Though of an efficacy to create much misery, they were so concealed from the public eye and ear, as to create little sympathy or commiseration for the sufferers. It will be well if history and remembrance preserve these salutary lessons, as solemn warnings to prevent the recurrence of a similar bank mania for the future.

"The result of a sound and uniform currency was seen in the restoration of business and credit; and commerce sprung up, like a Phoenix, from its ashes. Shapeless and mean looking villages became towns; and the towns in neatness and beauty began to compare with those in the Atlantic country. The best evidence of the change, wrought by this order of things is, that produce and every species of vendible property rose to double and triple its value, during the season of general embarrassment. Since then, the progress of the West in improvement and prosperity has been as rapid, as her citizens could reasonably desire."

We deem the remarks, with which our author closes his general view of the Mississippi Valley, too important to be withheld from the reader. They are as follows. We need not add, that they are solid and practical.

"It is impossible to satisfy the inquiries, that are constantly making, particularly by European emigrants, touching the exact cost of these improvements, and the requisite provisions, cattle, and horses, necessary for a commencement. All these things vary, not only according to quality as elsewhere, but according to nearness or remoteness from settlements, according to the abundance or scarceness of the article; in fact, are liable to greater irregularities of price, than in the old settlements. Labour has found its level, and costs nearly the same in the new, as in the old states. The average expense of log houses, may, perhaps, be rated at fifty dollars, when built on contract. Clearing, grubbing, and enclosing timbered land, so as to prepare it for a crop, costs from six to twelve dollars an acre, according to the heaviness and hardness of the timber, and the ease of splitting rails. The prairie land has a very tough green sward, and costs three dollars an acre to be well ploughed the first time. Lands under good improvement are generally worth from six to ten dollars an acre; and all are aware, that the government price of wild lands, after the first auction sales, is one dollar and twenty-five cents an acre.

"The most affectionate counsel, we would give an immigrant, after an acquaintance with all districts of the western country of sixteen years, and after having seen, and felt no small part of all we have attempted to record, would be to regard the salubrity of the spot selected, as a consideration of more importance, than its fertility, or vicinity to a market; to supply himself with a good manual of domestic medicine, if such a manual is to be found; still more, to obtain simple and precise notions of the more obvious aspects of disease, an acquisition worth a hundred times its cost, and more than all to a backwoodsman; to have a lancet, and sufficient experience and firmness of hand to open a vein; to have a small, but well labelled and well supplied medicine chest; and to be, after all, very cautious about either taking, or administering its contents, reserving them for emergencies, and for a choice of evils; to depend for health on temperance, moderation in all things, a careful conformity in food and dress to circumstances and the climate; and above all, let him observe a rigid and undeviating abstinence from that loathsome and murderous western poison, whiskey, which may be pronounced the prevalent miasm of the country. Let every immigrant learn the mystery, and provide the materials to make good beer. Let every immigrant, during the season of acclimation, especially the sultry months, take medicine by way of prevention, twice or thrice, with abstinence from labour a day or two afterwards. Let him have a Bible for a constant counsellor, and a few good books for instruction and amusement. Let him have the dignity and good sense to train his family religiously; and not to be blown about by every

wind of doctrine in religion, politics, or opinions. Let his rifle rust, and let the game, unless it come in his way, live on. Let him cultivate a garden of choice fruit, as well as a fine orchard. Let him keep bees, for their management unites pleasure and profit. Let him prepare for silk making on a small and gradual scale. Let him cultivate grapes by way of experiment. Let him banish unreal wants, and learn the master secret of self-possession, and be content with such things as he has, aware that every position in life has advantages and trials. Let him assure himself that if an independent farmer cannot be happy no man can. Let him magnify his calling, respect himself, envy no one, and raise to the Author of all good, constant aspirations of thankfulness, as he eats the bread of peace and privacy."

Mr. Flint commences his account of the individual states and territories, with that of Florida. In his views of that interesting tract of country, so little known, in other parts of the Union, and so worthy to be known every where, he is full and instructive. We have never seen half as much useful information respecting it, embodied elsewhere in the same compass. In his description of the magnificent spring, which constitutes the source of the Wakulla river, no one can fail to feel an interest. We, therefore, extract it.

"There seems to be, over all this country, a substratum of soft stones at equal depths, which is cavernous, and admits numberless subterranean brooks and streams to have their courses far under the ground. In places they burst out in the form of those vast boiling springs, which form rivers at a short distance from their outlets, and by their frequency, their singular forms, the transparency of their waters, and the multitude of their fishes, constitute one of the most striking curiosities of the country. Among an hundred which might be named, and which have created the vulgar impression, that there is every where a prodigious cavern beneath the surface of the whole country, the most remarkable is that twelve miles from Tallahassee, which is the source of Wakulla river.—It is of a size to be boastable immediately below the fountain. A mile below its source the channel becomes so impeded with flags, rushes, and river weeds, that a boat can scarcely be propelled through them. Suddenly this immense spring breaks upon the eye, of a circular form, and in extent, like a little lake. The water is almost as pellucid as air. It has been sounded with a line of two hundred and fifty fathoms, before bottom was found. From its almost unfathomable depth, from the aerial transparency of its waters, and perhaps also from the admixture of sulphuret of lime, which it holds in solution, it has a cerulean tinge, like that which every voyager has admired in the waters of the gulf. To a person placed in a skiff, in the centre of this splendid fountain basin, the appearance of the mild azure vault above, and the transparent depth below, on which the floating clouds and the blue ocean above are painted, and repeated with an indescribable softness, creates a kind of pleasing dizziness, and a novel train of sensations, among which the most distinguishable is a feeling as if suspended between two firmaments. The impression only ceases when the boat approaches the edge of the basin, near enough to enable you to perceive the outlines of the neighbouring trees pictured on the margin of the basin. It has been asserted, that limestone water, in its utmost purity, has less refractive powers for light than freestone water. The water, probably from the presence of the sulphuret of lime, is slightly nauseous to the taste. Beautiful hammock lands rise from the northern acclivity of this basin. It was the site of the English factory in former days. Here resided the famous Ambrister. The force which throws up this vast mass of waters from its subterranean fountains, may be imagined, when we see this pellucid water swelling up from the depths, as though it were a cauldron of boiling water."

Having finished his account of Florida, respecting the former inhabitation of which he states several curious and striking facts,

he treats of Alabama, Mississippi, Louisiana, Arkansas, Missouri, Illinois, Tennessee, Kentucky, Indiana, Ohio, West Pennsylvania, West Virginia, Michigan, the North-west Territory, and the Missouri Territory, in the order in which they are here enumerated. From his views of these states and territories, many extracts, abounding in useful and pleasing matter, might be made. But we must restrict ourselves to a few of them. From his description of the river Ohio, we take a single paragraph, as a specimen of the whole.

"Under this head we shall describe the noble and beautiful river that gives name to the state. If the Mississippi has more grandeur, the Ohio has clearly more beauty. If the Mississippi rolls along its angry and sweeping waters with more majesty, the Ohio far exceeds it in its calm, unbroken course, which seldom endangers the boats on its bosom, except there be mismanagement, or storms. No river in the world rolls for the same distance such a uniform, smooth, and peaceful current. Its bluffs and bottoms have a singular configuration of amenity, or grandeur. Sometimes lofty bluffs, three hundred feet in height, impend the river, and cast their grand shadows into the transparent waters. On the other side are fine bottoms, generally above the overflow, and covered with beautiful forest trees, among which rises the venerable sycamore, the king of the forests, and throws its white arms over the other trees. Whoever has descended this noble river in spring, when its banks are full, and the beautiful red bud, and *cornus Florida*, deck the declivities of the bluffs, and are seen at intervals in the bottoms; or in the autumn, when the leaves are all turning yellow, will readily allow the appropriateness of the French name, 'la belle riviere.'"

His account of the great and fast-growing state of Ohio, which may well be denominated the wonder, not only of the west, but of the Union, he thus closes.

"In whatever aspect we contemplate this wonderful state, the mind is affected with surprise and pleasure. We experience surprise, for the history of colonies affords no similar example of a colony of equal numbers, improvement, and prosperity, so rapidly springing from a solid forest wilderness, with no adventitious aid, except the fertility of its lands, the freedom of its institutions, and the enterprising character of the American people. The real lover of freedom, who firmly believes in the strength and perpetuity of our institutions, contemplates the prospect with unmingled pleasure. Ohio, all things considered, and her character and institutions carefully analyzed, is the most completely democratic community with which we are acquainted. Here, if the enemies of democracy were to be credited, ought to be found the most revolting effects of ferocity and misrule. Insurrection and anarchy and lawless violence should be the order of things. This state, on the contrary, is making great exertions to diffuse general education; and there is not, perhaps, in the world, a more peaceable and orderly community, or one where the people are more entirely obedient to the laws."

But of all the descriptions of scenery, in the book, perhaps the boldest and best, is that of the River and Falls of Niagara. We shall, therefore, extract it.

"At the point, where this river issues from lake Erie, it assumes the name of Niagara. It is something more than three quarters of a mile in width, and the broad and powerful current embosoms two islands; one of them, Grand Isle, the seat of Mr. Noah's famous Jewish colony, containing eleven thousand acres, and the other Navy island, opposite to the British village of Chippeway. Below this island the river again becomes an unbroken sheet, a mile in width. For a half a mile below it seems to be waxing in wrath and power. Were this rapid in any other place, itself would be noted, as one of the

sublimest features of river scenery. Along this rapid, the broad and irresistible mass of rolling waters is not entirely whitened, for it is too deep to become so. But it has something of that curling and angry aspect, which the sea exhibits, when swept by the first bursts of a tempest. The momentum may be conceived, when we are instructed, that in half a mile the river has a descent of fifty feet. A column of water, a mile broad, twenty-five feet deep, and propelled onward by the weight of the surplus waters of the whole prodigious basin of the lakes, rolling down this rapid declivity, at length pours over the cataract, as if falling to the central depths of the earth. Instead of sublimity, the first feeling excited by this stupendous cataract is amazement. The mind accustomed only to ordinary phenomena and common exhibitions of power, feels a revulsion and recoil from the new train of thought and feeling forced in an instant upon it. There is hardly sufficient coolness for distinct impressions; much less for calculations. We witness the white and terrific sheets—for an island on the very verge of the cataract, divides the fall—descending more than one hundred and fifty feet into the abyss below. We feel the earth trembling under our feet. The deafening roar fills our ears. The spray, painted with rainbows, envelops us. We imagine the fathomless caverns, which such an impetus, continued for ages, has worn. Nature arrays herself before us, in this spectacle, as an angry and irresistible power, that has broken away from the beneficent control of Providence. When we have gazed upon the spectacle and heard the roar until the mind has recovered from its amazement, we believe the first obvious thought in most minds is a shrinking comparison of the littleness and helplessness of man, and the insignificance of his pigmy efforts, when measuring strength with nature. Take it all in all, it is one of the most sublime and astonishing spectacles, seen on our globe. The eye distinctly measures the amount of the mass, and we can hardly avoid thinking with the peasant, that the waters of the upper world must shortly be drained down the cataract. But the stream continues to pour down, and this concentrated and impressive symbol of the power of Omnipotence proclaims his majesty through the forests from age to age.

"An earthquake, the eruption of a volcanic mountain, the conflagration of a city, are all spectacles, in which terror is the first and predominant emotion. The most impressive exertion of human power is only seen in the murderous and sickening horrors of a conflict between two mighty armies. These, too, are transient and contingent exhibitions of sublimity. But after we have stood an hour at the foot of these falls, after the eye has been accustomed to look at them without blenching, after the ear has become familiarized with the deafening and incessant roar, when the mind begins to calculate the grandeur of the scale of operations upon which nature acts, then it is that the entire and unmingled feeling of sublimity rushes upon it, and this is, probably, the place on the whole globe, where it is felt in its most unmixed simplicity."

A brief account of the Oregon Territory, which lies between the Rocky Mountains and the Pacific Ocean, and is becoming an object of interest to the people of the United States, closes the first volume of the work. The reader will be pleased with our author's sketch of the river Columbia, which belongs to that region, and is one of the noblest tributaries of the ocean.

"The only rivers explored in this region are the Columbia and its branches. This noble river has its head waters near those of the Missouri. It collects its tribute for a wide extent along the western dividing ridges of the Rocky Mountains. Immediately upon emerging from these mountains, it has become a broad and deep stream. Having received Clark's and Lewis' Rivers, each large streams from the east, it is already 960 yards wide. It there forms a great southern bend, and breaks through the second chain of mountains. One hundred and thirty-six miles below are the great falls, where the river descends in one rapid 57 feet. Below these falls it winds first to the north-west, and then to the south-west, and passes through the third chain of mountains; where it is again compressed

to the width of 150 yards. Below this rapid, at 180 miles from the sea, it meets the tide, beyond which it has a broad estuary to the sea. Sixty miles below the rapids, Multnomah, a very large and unexplored tributary falls in from the north-east. The mouth of the river is in $46^{\circ} 24'$, and the tide there rises eight and a half feet. The Columbia and its tributaries abound in the finest salmon, which seem in fact to constitute the chief article of food of the savages west of the Rocky Mountains. Seals and other aquatic animals are taken in this river in great numbers; and the skins, shipped to China, constitute the chief article of trade from this great river. A number of the head streams of the Missouri, interlock with the waters of this river, as Wisdom River, with Clark's of the Columbia; and Jefferson of the Missouri with Lewis' of the Columbia. Clark's River has a course, between 200 and 300 miles in length, before it unites with the Columbia. Lewis' River is a large and long tributary of the Columbia. In its course, it receives North Fork and Kooskooskee, and after winding 600 miles, falls into the Columbia from the east by a mouth 250 yards wide."

The character and intention of the second volume of the work, are sufficiently indicated in the prefatory advertisement to it.

"It will be sufficiently obvious, that the preceding physical geography of the Valley of the Mississippi, modified to meet the recent changes occasioned by its rapidly increasing population, originally made the chief part of an entire work, intended simply for readers, who wished to acquaint themselves with that vast country, constituting the greater portion of the surface of the United States; and at no distant period to contain the greater part of our entire population. It was objected to the original work, that it was too sectional. In attempting to obviate that objection, a brief view is here presented of the United States, of each one of the Atlantic States, and of the whole continent of America from the latest and most approved authorities. Our object has been to find a way, if we could, between the unsatisfactory dryness of a mere abridgment, and the prolixity of uninteresting detail; in a word to present all the important and interesting information, touching our country and continent, that could be compressed into the limits of our pages."

Besides a "Brief General View of the United States," this volume contains a condensed account of each of the Atlantic states, in which a great amount of important matter, that should be familiar to every one, but to which a majority of even our law-makers, state-doctors, and constitution-tinkers are strangers, is compressed within the narrowest compass consistent with perspicuity. We have looked into no other work, of like dimensions, that is enriched with so much of the statistics and the physical geography of our country. In its brevity, and the judicious selection of its subjects, consists a large share of its merit. It will enable readers to acquire much useful knowledge, at a small expense of time and labour—a desideratum of peculiar moment, in the making of books. In these wordy times, *MULTUM IN PARVO* is the practical motto of but few writers. We need scarcely add, that the qualities just mentioned, as belonging to it, would render this portion of the work, in particular, an excellent school book; a purpose, to which we think it not improbable it will yet be applied.

The Danish and British possessions, in North America, constitute the next subjects of our author's attention. Then follows the Mexican republic; next, South America, in general; and last-

ly, the West Indies. Thus does the work embrace the entire geography of the new world.

Having quoted somewhat freely, from the first volume, our extracts from the second must be more limited. The reader will be gratified, we think, with the following paragraph.

"Climate. To pursue the details of this article would alone require a volume. The United States embrace every variety of temperature, from the cold sea air of Passamaquoddy, to the dry, elastic, and severe temperature of the White and Green Mountains; softening through all the degrees of Fahrenheit's scale to the climate congenial to the olive, sugar cane, and sweet orange. The variability of the climate has generally been overcharged. The range of the mercury in the thermometer is indeed great and sudden; sometimes amounting to 25 and 30 degrees in a day. This rapid mutability of temperature, probably, produces a beneficial corresponding flexibility of constitution. The American people, from some cause, are more excitable, and rapid in muscular movement, than the European stock, from which they are derived. Many of our wealthier invalids cross the Atlantic, for the benefit of climate; generally, it is believed to a disadvantage. There can be no doubt, that every species of malady, and physical infirmity, upon which climate operates, may find in the wide and strong diversities of climate, furnished by some portion of our vast country, all the alleviation, which can be reasonably hoped from this source. The best, as well as the most favourable judges of American climate, are those, who have longest experimented the widest range of foreign climates. Our country and climate, in configuration, character, and productions, correspond more nearly to that of China, than any other; and are probably, as favourable to population, comfortable occupation in the open air, and longevity, as those of countries much more vaunted in these respects."

Specimens sufficiently numerous of our author's powers, in describing natural scenery, have been exhibited. Presuming on the existence of some curiosity, in the public mind, to know how he succeeds, in delineating productions of art, we insert his description of the city of Boston.

"Boston, the metropolis of the state and of New-England, is an ancient, opulent, and beautiful city, built at the head of Massachusetts' Bay, on a peninsula connected with the main land by a narrow neck joining it to Roxbury. Being chiefly built on a hill swelling from the surrounding water, it presents an imposing aspect to the beholder, from whatever quarter it is approached. It has a spacious, safe, and commodious harbour, in which 500 vessels may ride at anchor, while the entrance is so narrow, as scarcely to admit two ships abreast. It is strongly defended by Forts Independence and Warren; and is dotted with a great number of islands; affording in summer beautiful verdure, pasturage, and retreats for parties of pleasure. In regard to the extent of its shipping and the amount of its tonnage, it is the second city in the United States. It contains 155 streets, and 80 wharves and quays. The number of public buildings amounts to 40; and the churches, many of them noble edifices of stone, to about the same number. No aspect of the city is more striking, than the numerous and tall spires of the churches. Among the conspicuous buildings is the state-house, built on the most elevated ground in the city, with a front of 173 feet, and a depth of 61. The building is surmounted with a circular dome and lantern 160 feet from the foundation. Our country offers no city scenery to equal that from this elevation. Foreigners have compared it with the view of the Bay of Naples; and the most splendid city scenery in Europe. The new market, 536 feet in length, is the most noble building of the kind in the United States. The Massachusetts General Hospital is a beautiful building. Both of these are of Chelmsford granite; as is the Tremont House, containing 180 apartments, and being the most sumptuous hotel in the United States. Most of the new churches, and

le streets, and more opulent mansions of this city, are of the same material. Long, high, and massive ranges of buildings of this enduring and beautiful material, give the handsomer parts of the city a most imposing appearance. The Theatre, the new Court House, and Trinity Church, are among the noble nite erections. A number of the private mansions are sumptuous; and the final finishing and furnishing in a style of great richness and splendour.

We have not space to enlarge even upon that feature of the city, which constitutes its richest and proudest ornament, its literary and charitable institutions. Its schools, in which 7,500 children are instructed, perhaps, deserve to be ranked of all others. The Boston Athenæum is a noble monument of the city's munificence of this place. Its select library contains about 25,000 volumes. Beside this, there are other libraries, the largest of which is the Boston Library, containing about 10,000 volumes. The lyceum of this city was among the first establishments of the kind in the country. The periodicals amount to about 40; among which, some have an established and well earned reputation. The numerous, long, and magnificent bridges, connecting the city with the mainland, one of which is between three and four thousand feet in length, are appendages that give this town an appearance unlike any other in the Union. Nothing can be more beautiful in a dark night, than these numerous, long, straight parallel lines of illumination furnished by the lamps over the streets. More capital is concentrated in this opulent city, than in any other American town of its size. Its money transactions are carried on by 18 banks. Chancellor's noble statue of Washington is placed in an apartment prepared for this purpose, in the state-house. The common, fronted on one side by a double row of noble trees, called the mall, contains 44 acres, and presents on one side splendid water views; and on the other sumptuous and magnificent dwellings, among which Colonnade Row makes a conspicuous figure.

Beautiful villages surround this city in all directions; and are seen in the distance from the summit of the state-house, like a continued city. More than 100 spires, beside those of the city, can be counted. Though the size of the city proper does not compare with New-York or Philadelphia, the environs of no other American town will vie with it, in point of numerous and compact villages, in cultivation, display of taste and opulence, and especially in the show of the numerous and magnificent country villas, belonging to the citizens. The eye glides over the bay dotted with green islands, and whitened with sails, takes in the city array of public buildings and spires, and the sumptuous massive establishments, and the white villages beyond surmounted with their spires; all is lost in the distant show of towns, cultivation, and embellishment.

Among the most interesting points of view beyond the city, is Charlestown, seen as if showing as a city; its consecrated heights, associated with all, that is affecting in revolutionary remembrances, the rising granite column that crowns Bunker hill, the noble navy yard, the dark moral shading cast upon the picture by the penitentiary; and beyond, the unostentatious canal, with its slow moving opening to the mind more than meets the eye. As a contrast to the business and life and bustle in this direction, the spacious halls of the university showing their trees, still further in the distance, in that repose and stillness, that invite to literary leisure, and the quiet efforts of thought.

The mill dam bridge and basins constitute a magnificent work, and contribute, with the genius of the people, to render Boston a manufacturing place. It is distinguished among others for the beauty and excellence of its manufactures. Wool and cotton cards, and paper hangings are important items in her manufactures; and as a publishing place, in the number and beauty of the books printed here, this city stands deservedly pre-eminent. In another place we have alluded upon the results of her charitable and humane institutions. For the variety of her mansions, for her monuments of taste and literature, for her religious and humane institutions, for the munificence of her charities, and for the liberal hospitality of her enlightened citizens, the metropolis of New-England will be the city admired, and gratefully remembered by the stranger. It is distant 300 miles S. E. from Montreal, and 300 N. E. from Philadelphia. 42° 22' N. Population in 1820, 43,298. In 1830, 61,392."

The following vivid description of a picturesque and celebrated portion of the state of New York, yearly visited by thousands of fashionable tourists, cannot, we think, be otherwise than grateful to the reader.

"Scenery. The great thoroughfare of travellers for business or pleasure from New-York to Niagara and the lakes, abounds at every stage with interesting scenery. Scarcely has the traveller been wafted out of New-York bay, one of the most beautiful in the world, before he has in view the noble elevation of the highlands. Every point along this sublime passage has its tradition attached to it, or its connexion in memory with revolutionary events. At one place the traveller is shown where Andre was taken; at another, where he was executed. Still farther up, perched on the declivity of a mountain, are the numerous buildings belonging to the establishment of West Point. Higher still are the Catskill Mountains rising into the blue of the sky. *The Pine Orchard* is between 2,000 and 3,000 feet above the river, at some miles distance from it, and is provided with a house of entertainment. The round top is the highest elevation of the Catskill, being 3,718 feet above the level of the sea.

"In passing from Albany to Schenectady we are presented with one of those works of art, which is still a rare object in our country, the Albany and Schenectady rail road, upon which a locomotive steam-engine is in operation. Passing through the village of Ballston and Saratoga, at some miles distant from Saratoga, and near Hudson's River, we find ourselves on one of the most interesting spots identified with the history of the American Revolution, the place where Burgoyne surrendered his army. Crossing over to Lake Champlain, we are arrested by the remains of the fortress of Ticonderoga, where General Abercrombie was defeated in 1758; a spot as famous in the history of the former French war, as Saratoga is in that of the revolution. Plattsburg and Lake Champlain are both famous in the history of the late war. In fact, the whole distance from Lake Champlain to Lake Erie, along the line of the canal, is consecrated to remembrances in the history of the Indian, French, revolutionary, and late war. As we ascend toward the lakes, we pass the Cohoes, the Little Falls, Glen's Falls, and the very extensive salt works at Salina. At Lockport we stand astonished, as we contemplate one of the noblest works of art on the canal, and look up the prodigious height, to which boats are raised by the double line of locks; and are scarcely less impressed with the sight of the town itself, which but a few years since was a solid wilderness, and now is a handsome town, containing four or five thousand inhabitants. The locks at this place, and the deep cut through the solid limestone, strike the observer as a more stupendous work, than either the canal aqueduct across the Mohawk or the Genessee.

"Trenton Falls are in the town of Trenton, Oneida county, 108 miles N. W. of Albany, and 12 miles north of Utica. The cascade is 2 miles from the village. The surrounding scenery is remarkable for its romantic beauty and grandeur. Petrifications, and organic remains are abundantly imbedded in the limestone bluffs. West Canada creek has here cut itself a prodigious chasm through the rocks, in many places 150 feet deep, and for a distance of 4 miles; the whole extent of which is a succession of striking cataracts. This interesting chasm is much visited, and presents a spectacle not unlike that of many of the rivers of Tennessee and Kentucky, in their passage through their deep beds of limestone.

"Whether the traveller contemplate the prodigious work of art presented in this long canal, or the astonishing growth of the new and beautiful towns along its banks, that have replaced the recent solid wilderness, whether he yield his eye and his mind to the sublime in the Falls of Niagara, or to the green, beautiful, and romantic in the charming country of the lesser lakes, or the grand and solitary in the seas of fresh water, that spread from Ontario to the interminable deserts of the north, there is nothing of grand or beautiful in nature or art but what may be found between the splendid bay of New-York, and the view of Lake Erie from the square in Buffalo."

We shall venture one quotation more—a miniature sketch of South America; that magnificent country, so full of interest, and yet of which we know so little.

"**SOUTH AMERICA** is the richest, healthiest, most picturesque, and excepting Africa, the most extensive peninsula on the globe. Of the two Americas the northern division ought to be called Columbia, and the country now under consideration simply America. This vast country contains 100,000 square leagues. Its greatest length from Point Gallianas in Terra Firma, in 12° N. L. to Terra del Fuego, in 56° S. L. is nearly 5,000 miles. Its greatest breadth from Cape St. Roque in Brazil, to Cape Froward in Patagonia, is 4,800 miles.

"**General Aspect.** In this wonderful country, rivers roll through an extent of 4,000 miles, and are so broad, that the eye cannot reach from one shore to the other. In one point are seen mountain-summits above the clouds, white with snows, that never melt; while their bases rear the banana and pine apple. In a day a man can pass through all climates, from that of the equator to that of Nova-Zembla. In other places volcanoes, too numerous to be classed, throw out smoke and flames. Still in other places, are vast and deep forests abounding in all the grand flowering and gigantic vegetation of tropical climates, which spread to an immense extent, that has never yet resounded with the wood-cutter's hatchet. Nature here shows herself alternately in unexampled magnificence, beauty, sublimity, power, and terror. To the west spreads an immense chain of mountains with a plateau 12,000 feet above the sea. East of this is a belt of plains and marshes three times as broad, penetrated by immense rivers with their innumerable branches. To the east is another chain of mountains less elevated than the western. Descendants of the Spaniards occupy the western chain and belt, and the Portuguese the eastern. Thus South America is arranged into two great political divisions."

In a postscript to the preface, the work contains an interesting account of the late Ohio flood, especially as it appeared at Cincinnati; and its appendix is a compilation of much labour and research, and no less value. The latter will be particularly acceptable to botanists and zoologists, from the views it gives of the Flora and Fauna of many parts of the country. The same cause will render it valuable to gardeners, certain classes of mechanics, and enlightened agriculturists. It embraces also much statistical matter, in a narrow compass; a circumstance which will recommend it to political economists.

This article having imperceptibly grown, in our hands, to an unexpected length, we must hasten to finish it, by a few paragraphs of general remarks. We observed, at the commencement of it, that Mr. Flint's powers, as a writer, have not been duly appreciated, in the United States. We shall now add, that they have been much mistaken. His productions have been too generally supposed to be more imaginative than judicious, and more eloquent and ornamental than grave and solid. This, we repeat, is a mistake, as a deliberate and discriminating perusal of them will testify. If the outside of the cup and platter is clean and showy, the inside presents nothing unworthy of it. The chief merit of our author's writings consists, not in their garniture, but in their *thought* and *moral*. The latter is always pure and lofty, and the former manly and noble. We know of few writers,

who gather in the solid products of mind, with so wide and vigorous a grasp, or who embody them so compactly. In no production of his, that has fallen under our notice, does the verdant leaf, or the gaudy blossom, take place of the rich and golden fruit, or conceal it from the eye.

It has been charged against Mr. Flint, as if it were a fault, that he has a poetic vein, and is a glowing and picturesque descriptive writer. True, he is so; and that, when fairly understood, is applause, instead of censure. To describe correctly and powerfully, is one of the highest efforts of the human mind. It is not to skim lightly along the surface of things, and deal in mere superficials and glossings. It is to penetrate nature, scan her throughout, with the keen eye of poetry and the steady one of philosophy, and represent her, as she is, fresh and radiant from the hand of her God, instinct with the life he breathed into her, and reflecting from her mirror his glorious attributes. He, who can do this, possesses something more than a playful fancy, and a command of words. He has a lofty genius, a quick penetration, deep sagacity, and a wide and vigorous reach of mind. And this is true of our author, as the public will yet acknowledge, when he shall have become more fully known to them. He observes accurately, feels deeply, judges soundly, thinks and combines powerfully, and expresses himself in strong and appropriate language; and the result of this is his descriptions, which are so faithful and graphical. He takes no commonplace view of either nature or art—does not look on them, as dead and motionless, but as living and full of action; and, therefore, as breathing sentiment, uttering wisdom, and inculcating a moral. The man who does not do this, can never describe. If he attempt it, the product will be spiritless; and no one will read it a second time.

Does any one allege that this article is more of a *eulogy*, than a review? We reply, that we did not intend to make it so. Nor do we think the allegation, if made, would be just. *Eulogy* is a relative term. What would be eulogistic of one, is but justice to another. It is enough for us, to know, that, if our feelings have been enlisted, in favour of our author and his book, we have endeavoured to keep them so far under the control of our judgment, as not to bestow on either unmerited praise.

The most unpleasant part of our task remains to be performed. We shall, therefore, make it short. It is to find fault, by saying frankly, that the work is not without defects. Its style, though, as already mentioned, considerably improved, from that of the first edition, is still, in some respects, faulty. It is occasionally not only wanting in high finish, but wears somewhat of the aspect of carelessness. The members of sentences are at times involved, and the phraseology is ambiguous—at least, less perspicuous than we could have wished it to be. In plain terms, it wants a little more

of the labour of correction, than the impatience of the author, arising, as we believe, from a very sensitive temperament, inclined him to bestow on it. No doubt, however, some of the faults complained of are errors of the press, for which the printer is more blameworthy than the writer. Let them therefore pass.

The mechanical execution of the work, including paper, type, presswork, and binding, is highly respectable, and does credit to the artists and workmen of the west. We trust that an enlightened public will soon render themselves familiar with the entire performance, by an attentive persusal of it; in which case, we have no fear of their charging us with extravagant commendation.

**ART. III.—*The Life of Frederic the Second, King of Prussia.*
By LORD DOVER. Two vols. 8vo. London: 1832.**

LORD DOVER, in our humble opinion, was not predestined to exult in the reflection that warmed the bosom of the "curiously felicitous" bard, when he contemplated the indestructible monument which he so fervently boasted of having raised: his brows are not very likely to be encircled, in consequence of brilliant literary success, with a wreath as verdant as that with which various titles to distinguished remembrance have entwined the memory of Frederic the Second of Prussia. Had this illustrious personage wielded the sword with no more power than his lordship does the pen, he might have made a respectable officer, but he never would have emerged a laurelled victor from the seven years' war. The volumes before us certainly do not resemble the genius of Burke, as described by Goldsmith; instead of being unable to praise them or blame them too much, the main difficulty is to find reasons for either commendation or censure. They belong to that numerous class of writings which have no strong relief about them, of any kind; whose geographical delineation, if we may so speak, would exhibit no promontories, capes, or highlands, but one unvarying outline and surface. The story is doubtless told with sufficient perspicuity and neatness, and there is every appearance of authenticity about it, resulting from the laudable diligence and care with which the author seems to have explored and arranged his materials; but there is a considerable want of that *vivida vis*, both of expression and thought, which should characterize an account of one who has so eminently "filled the trump of fame," as Frederic the Great. Such at least is the criticism we should make of this work, had its author

retained the commoner's name by which he was yeleft a year ago—George Agar Ellis—but since

a lord now owns the happy lines,
How the wit brightens, how the style refines!

This effect, we venture to assert, will be produced on his effusions, in the mind's eye of many a conscientious English critic, into whose head the bare idea of the possibility of a nobleman's writing any thing not commensurate with his political elevation, would find marvellous difficulty of access. Yet if any one is desirous of observing the difference between genius, although enveloped in the frame of one of the *ignobile vulgus*, and mere industrious talent, however resplendent with the glitter of a coronet, let him read the masterly sketch of a portion of Frederic's career, by Dr. Johnson, and compare it with the elaborate attempt now under review.

It is not, however, by any means our wish or design to disparage the labours of Lord Dover. On the contrary, we feel every inclination to do full justice to his work, and if we cannot bestow upon it any very lofty encomium, it is still within our power to say that it is far from being destitute of interest and instruction. The very nature, indeed, of its subject, is almost a sufficient recommendation in itself. There is no department of literature combining greater advantages for the diffusion of entertainment and information of the most desirable kind, than that which embraces the accounts of the lives of those personages, whose position and character must cause their biographies to compass the annals of a country during the period of their existence. A union of the respective attractions of history and biography is thus presented to the reader. Adequate mention of the occurrences and individuals of the epoch, of the proceedings and relations of states, with the other requisites of historical compilation, must be encountered to a certain extent, as well as those more private and familiar details, appertaining to biography, which are not only replete with intrinsic interest, but often render incalculable service in throwing light upon the loftier incidents, that in more dignified annals are not easily appreciated or understood.

As far as mere narrative goes, our author has accomplished the objects we have indicated, in a praiseworthy manner. He has given a faithful picture of Prussia during the reign of its illustrious monarch, and a sufficient insight into the intricacies of the political transactions connected with it in one way or another, as well as a clear and accurate account of the performances and character of the subject of his volumes. But his work is little more than a consecutive detail of facts, interspersed with remarks like angels' visits as to frequency, and for the most part not dissimilar in quality to a garment which has been acquainted with its wearer's back for a goodly length of time. The reader looks

in vain for vivid and graphic descriptions of the pomp and circumstance of war; of sieges, retreats, and battles; for ingenious speculations upon the intrigues and manœuvres of hostile and friendly powers; for luminous and comprehensive views of judicious polity, and probable results; for satisfactory developments of the characters of individuals, and acute investigations of the motives of conduct; in short, for all the fire and philosophy of history.

An adequate memoir, therefore, of Frederic, is yet to be written. *Caret vate sacro*, notwithstanding the numerous publications extant in relation to him, in various languages. These, it is true, will be competent to rescue him from the fate of those heroes who lived before Agamemnon, but this is not enough. He should float down the stream of time, not only safe from all danger of being swallowed up in the gulf of oblivion, but in a bark altogether worthy of such a freight. It might be regretted that the task of its construction was not regularly accomplished by Voltaire, as far as his term of existence would have allowed him to execute it, could it be supposed that he would have divested himself of all the acrimonious feelings consequent upon the scenes in which he and Frederic were the principal actors, so as to portray the man and the sovereign in faithful yet glowing colours. This hypothesis, however, is totally at variance with his vain and malignant disposition, and which what he has written about his quondam royal friend and patron, forbids us to entertain. We could wish that the Prussian hero had fallen into the hands of Sir Walter Scott. It seems to us that his character is one which is peculiarly adapted to the unique pencil of that illustrious master, whilst there would be none of the causes operating to expose the latter, in this case, to the imputations to which he has been considered obnoxious by his *Life of Napoleon*, in consequence of national predilections and antipathies. We can fancy the admirable portrait he would make of the warrior, the statesman, the scholar, the king—all blended harmoniously, and relieving each other with a due proportion of light and shade. It would be a picture, if not better drawn, at least, from the subject of it, far worthier of admiring contemplation and study, than the fine delineations of Louis XI., of Elizabeth, of Richard, and the other famous personages whose moral lineaments are now indelibly stamped upon the mind as depicted by his hand, albeit on a canvass around which the illusive hue of fiction is confessedly spread.

It is not only for the sake of Frederic himself, or for the satisfaction of rational curiosity with respect to him, that we would express anxiety to see an adequate biography of him issue from the press. It is a desideratum, moreover, in regard to the correct knowledge and comprehension of a portion of the age in which he lived—an age among the most remarkable in the annals of the

world. He was one of those men who constitute an epoch; who by their paramount influence upon the events of a particular period, impress it in a degree with characteristics resulting from their own peculiar sentiments, habits, and proceedings; who may be considered as monuments on the road of ages, to designate certain divisions of time. He was "*l'homme marquant du siècle*," and Voltaire, had he not been a subject of the Grand Monarch, might with propriety have substituted in the title of his work—"Précis du Siècle de Louis XV."—the name of the Prussian for that of the French potentate.

Frederic, surnamed the Great, was born on the 24th of January, 1712, at Berlin, the capital of the Prussian dominions. His mother was Sophia Dorothea, daughter of George the First of England, a princess distinguished for considerable beauty of person and face, combined with a dignified manner and carriage. She possessed a sound and well cultivated mind, and was exemplary in her deportment, amid all the hardships, privations, and brutal treatment which she experienced from her husband. The latter, Frederic William, the second King of Prussia, was either insane, or else so close to craziness, that he must have belonged to the class of whom Dryden speaks in the lines,

"Great wits to madness sure are near allied,
And thin partitions do their bounds divide;"

and indeed some portions of his conduct might justify the latter supposition, so effectual were many of his measures in promoting the interests of his kingdom. He governed his different states with wisdom and kindness; he maintained the country in almost uninterrupted peace, encouraging industry and commerce, and introducing frugality into the public expenditure; and was wont to bestow the minutest consideration upon the most insignificant details relating to the welfare of his subjects—in short, his public conduct, in many respects, manifested, that if he was mad, there was as much method in his madness as in that of Hamlet himself. In private life, however, he behaved in a way which would have abundantly warranted, and assuredly occasioned, the seclusion of an humbler individual in a hospital for lunatics, if one half of the stories narrated about him be true, which there is no reason to doubt. We have the testimony of his eldest daughter, the Margravine of Bareith, in addition to various other witnesses, of his outrageous proceedings towards his family, though we must confess it is next to impossible to believe all that is contained in her Memoirs; and we cannot help thinking that our author has relied too implicitly upon her statements.

Of the numerous whims of the king, one was his well-known fondness for tall men. Of these he collected a regiment, by fair means and foul, which would have been a formidable auxiliary of the giants of old, in their warring against Jupiter and his god-

lings, and might have considerably augmented the trouble of Madam Minerva in gaining the victory which her wisdom and valour achieved. Being desirous of transmitting to his descendants the advantages to be derived from this Titanian force, he endeavoured to secure its propagation and continuance, by marrying the individuals of the regiment to women whose height was calculated to render them, in the words of the song,

"Just the fit wives,
For men of their size."

Many a poor damsel, in consequence, was made to rue the liberality of nature with regard to her stature, as he never consulted the inclinations of the ladies, but constrained every one of suitable elevation whom he encountered, to assist in furthering his views. He was not, it is true, invariably successful in these matrimonial transactions. On one occasion he was completely outwitted, by a youthful giantess whom he met in going from Potsdam to Berlin. Captivated by her altitude, he accosted the girl, and learnt that she was still unmatched; that she was a Saxon, and was returning to her native village from Berlin, where she had been on some business. "In that case," said the king, "you pass before the gate of Potsdam, and if I give you a note to the commandant, you can deliver it without going out of your way—take charge, therefore, of the note which I am about to write, and promise me to deliver it yourself to the commandant, and you shall have a dollar for your pains." The girl gave the requisite promise, and took the note and the dollar. Aware, however, of the royal propensity to usurp the authority of the son of Venus, and suspecting the fate which she would encounter at Potsdam, she deposited both the articles in the hands of a diminutive old woman, whom she found at the gate of the town, telling her to execute the commission without delay, as it related to business of the king. She then prosecuted her journey with all the speed possible, whilst the old woman hastened to the commandant and delivered the note. On opening it, he found, to his utter amazement, a positive injunction to marry the bearer immediately to a certain grenadier, who was indicated by name. The order was too imperative to admit of hesitation, and the unfortunate Goliath, maugre all his repugnance, was yoked with the good dame, who submitted to her fate with exemplary resignation. The next day arrived Frederic William to enjoy the spectacle of the new couple whom he supposed he had secured. As may be imagined, he was not particularly pleased at discovering the trick which had been played, and forthwith he commanded the delighted grenadier to be released from his durance vile by means of a divorce.

Another favourite pursuit of the king was painting in oils, especially taking the likenesses of his star-brushing grenadiers,

and when Mahomet could not go to the mountain, he contrived to make the mountain come to Mahomet; that is to say, whenever his portraits did not resemble the original sufficiently in colour, he was wont to daub the cheeks of the grenadier so as to give them a corresponding hue. His fondness for the pencil caused him once to inflict, unconsciously, a punishment on a flatterer, of a more uncomfortable and efficacious kind than the simple rebuke of Canute to his courtiers. An attendant was extolling the beauties of one of his pictures, a vile performance, and on being asked by the elated monarch what he thought it would bring at a sale, answered that "it would be cheap at a hundred ducats." "You shall have it for fifty," said Frederic, anxious to recompense the discernment and taste of the other, who was any thing but overjoyed at this generous procedure. There was no escape, however, and the picture and the ducats changed masters.

These eccentricities were ridiculous enough, but his treatment of his wife and children was shocking in the extreme, and can be accounted for on no other ground than that of partial derangement of mind. Blows, opprobrious epithets, starvation, every thing that could make them curse their lot in being allied to a despotic and furious sovereign, they were provided with in abundance. The palace was a perpetual theatre of outrageous violence on one side, and unmitigated suffering on the other. Towards young Frederic, especially, the king seems to have entertained the most unnatural dislike, which he did not fail to manifest in every way, even to the extent of endeavouring, on several occasions, to deprive him of life. One cause of this antipathy, was the fondness of his son for music, French literature, and fine clothes, all of which he held in abhorrence. "He is nothing," he used to say, "but a coxcomb and a French bel-esprit, who will spoil all I have done."

"The following anecdote," says Lord Dover, "will explain, as well as justify, the terror in which Frederic lived, lest his father should at any time discover him occupied in his favourite pursuits. Quanz, a celebrated flute-player of that time, came to Berlin in the suite of Augustus, King of Poland, and was accustomed to come to the prince, at the hours when the king was known to be otherwise engaged, for the purpose of accompanying him. On these occasions Frederic used to gratify his love of dress, by taking off his uniform, and putting on a coat of gold brocade, with his hair dressed in the French fashion, and tied in a bag behind; and he insisted upon Quanz being attired in a similar manner. On one occasion Frederic William arrived unexpectedly, upon which Quanz hid himself in the chimney, the flutes and music were thrown aside, and Frederic hastily reassumed his uniform. Thus far all remained undiscovered; but the unfortunate bag, which Frederic had not had time to take off, soon betrayed to the king that something extraordinary had been happening. He searched the room, found the brocade coat and the music, and had them instantly burnt; some French books, which he also discovered, he ordered to be sent back to the bookseller, and again forbid his son, upon pain of his highest displeasure, either to instruct his mind or to adorn his person. Quanz, fortunately for himself, remained undiscovered in the chimney."

It is certainly a cogent proof of the inherent strength of Frederic's mind, that he was not driven into habits of abandoned profligacy by the persecution which he thus endured. His sister, the Margravine of Bareith, does intimate, it is true, that his unhappiness was productive of some such effect, but it must have been in a very limited degree, as he continued to prosecute his favourite studies and pursuits, with unwearied diligence, and amongst the rest, the mathematical sciences, in which he reached a proficiency, by no royal road, that would have been remarkable in any youth, and was still more so in the heir to a throne. In French belles-lettres and philosophy, he made corresponding progress, and the skill he attained on the flute was such, that according to the regal censure of Philip of Macedon, he might have been ashamed of playing so well. He could not have repeated the entire arrogant reply of Themistocles to a request at a banquet to touch a lute,—“I cannot fiddle, but yet I can make a small town a great city,”—although he might justly, at a subsequent period, have indulged in the boast which it conveys.

At length the Prince's power of endurance became completely exhausted. The king had attempted to put him to death in the most savage manner—a circumstance which it would be impossible to credit, were it not authenticated beyond all doubt. “As I entered,” says Frederic himself in a letter to his sister, “the King's room this morning, he first seized me by the hair, and then threw me on the ground, along which, after having exercised the vigour of his arm, upon my unhappy person, he dragged me, in spite of all my resistance, to a neighbouring window; his intention apparently was to perform the office of the mutes of the seraglio, for seizing the cord belonging to the curtain, he placed it round my neck. I had fortunately for myself had the time to place myself upon my legs, and I seized hold of both his hands, and began to cry out. A servant came immediately to my assistance, and delivered me from his hands.”—Besides this attempt upon his son's life, the king endeavoured to constrain him to abandon his rights of primogeniture, and sign an act renouncing, in favour of his next brother, the succession to the Prussian throne. The Prince resolved, in consequence, to effect his escape to England, but his project was discovered, and he was arrested when on the very point of commencing his flight. After being confined in a solitary dungeon in the fortress of Custrin, he was brought before a court martial, together with one of the accomplices of his attempt, named Katt. It was the object of the king to have him condemned to death, and with that view he had originally intended to give him over to the ordinary tribunals, the judges of which never dared to thwart his wishes, as whenever their sentences were not entirely in unison with these, he would appear in the court where they sat, and make a liberal

distribution to each one in turn of blows and kicks, accompanied with such epithets as rogues and blackguards. He was prevented, however, from adopting that course, by his favourite minister, Grumkow, who, by representing the necessity of preserving at least the outward appearance and forms of justice, in a matter which would attract the eyes of all Europe, induced him to allow the prince to be tried by a military commission for the crime of desertion, the only one that could with any plausibility be laid to his charge. This tribunal was not so obsequious as was desired, and unanimously acquitted the prisoner. Enraged at this decision, the king immediately assembled another court martial, by which the requisite sentence was passed. In pursuance of it the monster actually issued orders for the decapitation of his son. If the memory of the first Brutus has not been preserved from execration, even with all the extenuating circumstances, which, in his case, are calculated to balance the mind between admiration and horror, what must be the sentiments with which this act is to be regarded? Fortunately for history, its dark catalogue of crimes, was not further blackened by the consummation of the proceeding just related. Hitherto the court of Austria, through Seckendorf, its minister at Berlin, had encouraged, for political reasons, the infamous conduct of Frederic William; but, startled at the foul deed about to be perpetrated, and presuming that if the prince should be indebted for his life to its interference, he would be indissolubly attached to its interests, it remonstrated in the most peremptory manner against the contemplated execution. The emperor wrote an autograph letter to the Prussian monarch, and by his determined course, succeeded eventually in extorting a reluctant compliance from the latter, who exclaimed, on announcing that his son was to be reprieved: "Austria will some day perceive what a serpent she warms in her bosom." There was a prophetic spirit in this prediction; and in reflecting upon the disasters which almost prostrated that country at a subsequent period, inflicted as they were by the hand of the person thus rescued through its assistance from an untimely fate, one cannot help feeling the full force of the line of Virgil:

Nescia mens hominum fati, sortisque futuri.

Yet it is equally true, that even could the emperor have foreseen how fearful a scourge of his dominions the prince was destined to prove, he would still have been bound, apart from all the common obligations of humanity, to arrest the course of Frederic William, before he had capped the atrocious climax of that unnatural savageness which his own vile intrigues had contributed to foster and increase. Minds of certain predispositions might, perhaps, behold the just punishment of that unchristian conduct, in the evils we have mentioned, of which the principal sufferer by it, was the active and visible cause.

The prince did not, however, regain his liberty. He remained immured in the fortress of Custrin, where he was forced to be the spectator of a scene which harrowed his inmost soul. This was the execution of his accomplice, Katt, to whom we have already alluded, and whom he regarded with warm attachment. The unfortunate young man was not more than twenty-two years of age, of a distinguished family, polished manners, and considerable talents. He had been condemned by the court martial to imprisonment for life, but the ruthless monarch, thirsting for blood, and infuriated at being deprived of the exhilarating spectacle of the murder of his son, insisted upon a capital sentence. His injunctions were obeyed, and in order that he might embitter as much as possible the satisfaction of the prince at his escape from death, he directed the sentence to be carried into effect before the window of his cell. We extract our author's account of the execution.

"Katt arrived at Custrin on the evening of the 5th of November, and early the next morning he was led to the scaffold. On the preceding day, Frederic, having been first dressed in a coarse prison dress, similar to that which had been given to Katt, was transferred by the General Lepel, the governor of Custrin, and the president Munchow, who had the charge of him, from the apartment he had previously occupied, to one on a lower floor, looking into the court of the fortress, where he found his bed prepared. At his first entrance the curtains of the windows were let down, so as to prevent his seeing into the court; but at a signal given they were drawn up, and discovered to the astonished and agitated Frederic, a scaffold hung with black, and on a level with the window, which had been enlarged, and its bars removed. Upon beholding this preparation, Frederic became convinced that his own death was determined upon, and passed the night under this delusion in no very agreeable manner. Nor were his feelings much relieved, when early in the morning, Lepel and Munchow returned to him, and undeceived him with regard to himself, but informed him that, according to the peremptory and express orders of his barbarous father, he was to witness the execution of his friend.

"In the meanwhile Schenk had also informed Katt of the trial that awaited him; 'Try,' said he, 'to preserve your firmness, my dear Katt. A dreadful trial awaits you; you are now at Custrin, and you are about to see the prince royal.' 'Say rather,' replied Katt, 'that I am going to have the greatest consolation that could be given to me.' So saying, he mounted the scaffold, while four grenadiers were employed in holding the unhappy Frederic with his face towards the window. He wished to cast himself out of it, but was kept back by those about him. 'I conjure you,' said he, 'in God's name, to retard the execution. I will write to the king that I am ready to renounce all my rights to the crown, if he will pardon Katt.' He would have said more upon this subject, but Munchow stopped his mouth with his handkerchief. When he was again permitted to speak, he cried out, 'It makes me most miserable, my dear Katt, to think that I am the cause of your death. Would to God that I were in your place!'—'Ah! sir,' replied Katt, 'if I had a thousand lives I would willingly sacrifice them for you.' The executioner now attempted to put a bandage over the eyes of Katt, which the latter resisted: then lifting up his eyes to heaven, he cried out, 'My God, I render up my soul into thy hands!' At the same instant his head, which was cut off at a single blow, rolled upon the scaffold, while his arms mechanically stretched themselves towards the window where the prince royal had been stationed; but he was there no longer, having fallen in a deep swoon into the arms of his attendants. Upon recovering from this after some hours, he found himself still at the window, and in full view of the gory corpse of his friend!

Such had been the express orders of a father, who was so but in name. A second swoon was the consequence of the sight."

The grief and despair of Frederic at this event, are represented to have been such as to engender a delirium, during which he made more than one attempt to commit suicide. For some time he refused all sustenance, and he was only at length induced to eat by a representation that his decease would probably entail the deaths of both his mother and sister. A profound melancholy continued to haunt him for a protracted period; he rejected all consolation; and he could never be prevailed upon to leave off the prison dress which he wore at the moment of the execution, until it was literally falling from him in tatters. "Frederic," says our author, "appears throughout the whole of this transaction in a more amiable light than in almost any part of his subsequent life, and shows himself the possessor of feelings deeper and more affectionate than are usually found in the breasts of princes. There is no doubt that the horrid spectacle he had been compelled to witness had a salutary effect upon his future life, and was, at least in part, the cause of the reluctance he felt, during his whole reign, to the infliction of capital punishments."

If what has been already related is not sufficient to justify our insinuation, that Frederic William was not "right," the next step which he took in reference to his son, seems to us to furnish confirmation strong as can be required. He sent a clergyman to his place of confinement, for the purpose of effecting his religious conversion; thinking, doubtless, that his own Christian example would enforce the exhortations of the good man. A correspondence of some length, between the chaplain and the king, on this subject, is inserted in Lord Dover's work. It is highly curious, as manifesting a full conviction on the part of Frederic William, that he himself was fighting the good fight, and as showing that he really was under the influence of religious feelings of a certain kind, although his obliquity of mind did not permit him to understand the true spirit of devotion. An anecdote is related by our author, illustrative of the character of the man, and the nature of his piety, which we extract.

"One evening, when he was too unwell to read his usual devotions himself, the valet-de-chambre was employed to read them to him. The prayer ended with these words, '*Que Dieu te benisse!*' The servant, not thinking it respectful to *tutoyer* a king, changed the expression, and read '*Que Dieu vous benisse!*' Immediately the pious monarch became exasperated, and, flinging something at the reader's head, cried out, 'It is not so; read it over again.' The poor man, in his fright, could not conceive what he had done wrong, and read again, '*Que Dieu vous benisse!*' Upon this the king's anger redoubled, and, having nothing else near him, he took off his own night-cap, and threw it in the man's face, crying out, 'It is not so; read it over again.' The servant, more dead than alive, repeated again, in a low supplicating tone, '*Que Dieu vous benisse!*' '*Tu benisses! rogue,*' continued the king; '*te benisse.* Do you not know, rogue, that in the eyes of God I am only a miserable rascal like yourself?" "

It is greatly to be lamented that the apostolic efforts of the missionary were not productive of the desired effect; but "even thus early," in the words of our author, "Frederic had manifested that disposition to infidelity, which subsequently, in an aggravated degree, accompanied him through his long career, tarnished the brightness of his glories, shed a hopeless gloom over his old age, and extended its baleful influence even to his tomb."

At length, in the autumn of 1730, Frederic was persuaded to write a submissive epistle to his father, which procured the substitution of the town of Custrin for the fortress, as his prison; though all amusements, and especially reading, writing, and speaking French, were still interdicted. He was made a counsellor of war by the king, and obliged to assist regularly at all the meetings of the Chamber of Counsellors of that district, and labour diligently as a scribe. The salary, also, allowed him, was so small, as scarcely to preserve him from starvation; he suffered from a want of many of the first necessities of life; in short, the wretchedness of his situation was such, that he at length expressed to the President of the Chamber, Munchow, a determination to write to the king, and offer to yield his rights to the throne to his next brother, in consideration of a pension, and permission to live out of the Prussian states. From this step he was dissuaded by the president, who found means, by degrees, of diminishing the discomforts of his situation. In about a year a full pardon was granted to him, in consequence of a stipulation by his sister, when she consented to marry the Margrave of Bareith, in compliance with the wishes of the king; and soon afterwards he joined his regiment, which was in garrison in the provinces. Here he began to taste the pleasures of tranquillity and independence, but it was for no length of time. He was quickly summoned to Berlin for the purpose of espousing Elizabeth Christina, the only daughter of the Duke of Brunswick Wolfenbuttel, whom Frederic William had selected for his wife; and as he was in no humour to undergo another trial of the paternal temper, he obeyed. The ceremony was performed on the 12th of June, 1732. The princess was a lady not devoid of personal attractions, and blessed with one of those unclouded dispositions which "make to-morrow happy as to-day"—religious, benevolent, charitable, and of the strictest virtue—but of no great strength or cultivation of mind. She was never treated as a wife by Frederic. He scarcely ever saw her after the knot was tied; and during his whole reign, she maintained a separate little court, he paying her a visit once, and once only, a year, on her birth-day, on which occasion exclusively, to do her honour, he doffed his boots, and appeared in silk stockings. Of these he kept a pair for the purpose, which, says Thiebault, in his "*Souvenirs de*

Vingt ans de Séjour à Berlin," not being fastened by garters, generally hung in great wrinkles down his legs. It was commonly inferred from his treatment of his wife, that he entertained a dislike to her person; but our author intimates that his neglect was rather the consequence of a disinclination to female society in general.

From the period of his marriage, until his accession to the throne, Frederic resided at a country seat at Rheinsberg, a village in the county of Rupin, with the exception of the time occupied by the campaigns of 1734 and '35, in the war between the Austrians and French, respecting the election of a king of Poland. Prussia being obliged by treaty to furnish a certain number of auxiliary troops to the former power, Frederic William accompanied them himself, taking with him his son. The generalissimo of the Austrian army was the great Prince Eugene, but his mind, as well as his body, was then in the sere and yellow leaf, and nothing remarkable was performed. Frederic had no opportunity of distinguishing himself further than by evincing that cool courage, in moments of peril, which was inherent in his nature.

His occupations at Rheinsberg were principally those of a student. He rose very early, and devoted six or seven consecutive hours to the cultivation of his mind, both in the way of study and composition. Many of his works in prose and poetry were the fruits of his labours at this period. At the same time he also carried on a voluminous correspondence with Rollin, Voltaire, Wolff, and various other distinguished literary and philosophical characters of the day. The afternoons and evenings he gave up to social relaxation with the persons whom he had collected around him, to music, and amusements of different kinds. He did not, however, forget his regimental duties, and by the excellent discipline in which he maintained his corps, he contrived to preserve himself from any serious effects of his father's temper.

At length, on the 31st of May, the career of Frederic William was terminated, and his son ascended that throne which he was destined to surround with so brilliant a halo, notwithstanding the opinion then entertained, from his previous course of life, that his reign would be one of ignoble show and magnificence, enhanced indeed by a liberal patronage of science and art. It was commonly believed that Augustus would be the model which he would strive to imitate. He soon, however, proved that he was not about to dignify with the honours of prophecy the utterers of such prognostications; his indefatigable industry and untiring activity making it quickly evident that indolent repose was not what he chiefly prized. We may quote here Lord Dover's account of his habitual employment of time.

"Aware of the extensive and various nature of his duties as king, and fully determined never to delegate to others the labours which he considered to belong to his own station, Frederic, at the commencement of his reign, made a regular distribution of his time, to which he adhered with the most rigid exactness; and in which he made very few alterations, during the forty-six years that he swayed the Prussian sceptre. His first care was to ensure his early rising, for he knew full well, that, without that habit, much business could not be got through in the course of the day. He therefore ordered his servants to wake him at four o'clock, at which hour he intended to leave his bed. They did so; but Frederic was naturally inclined to sleep, and, therefore, he always begged for a little more time, which it may be easily supposed he obtained without difficulty; and thus, instead of four, he usually rose at six. In vain he scolded and commanded, for the next morning always found him entreating for more sleep; and where were the attendants that could resist the requests of a despotic monarch? Finally, determining to vanquish himself and his nature, he commanded the person who called him, under pain of being made a common soldier for life, every morning to put upon his face a towel dipped in cold water. By this violent measure he conquered his natural somnolency, and continued to rise at four o'clock till an advanced period of his life. His dress, which was always the same, the uniform of his guards, with military boots, was put on in a very few minutes; indeed, the whole business of his toilette was completed in less than a quarter of an hour. A single valet-de-chambre lit his fire, shaved him, and curled his hair. He was not possessed of either alippers or bedgown; only, Thiebault says, when he was very ill, he occasionally, but very rarely, put on a sort of linen wrapper; but even then he wore his boots. He hardly ever wore coats of other colours: and he appeared in silk stockings, as has been before mentioned, only on one day in the year; namely, when he went to the court of his wife upon her birth-day.

"As soon as he was dressed, one of his pages brought him the packet of letters, which had arrived for him by the post, or in any other way, and which had been delivered to the page by the secretaries of the cabinet. The king occupied himself in reading these letters, which were often very numerous, till eight o'clock. He was, above all, peculiarly exact in observing whether the seals appeared to be broken or not; fearing, and with reason, that sometimes the secretaries might be tempted to read and suppress letters, of which the contents were displeasing to them. From a long habit of looking at the seals of letters, he had become well acquainted with many, and knew to whom they belonged; in consequence of which knowledge, he frequently threw letters into the fire, or tore them to pieces, without reading them. Among other precautions contrived by Frederic to prevent the suppression of letters addressed to him, was the following:—Each master of the post, was obliged, with any letters he forwarded to the king, to send a list of them, as well as of the address of each person who wrote them; those who wrote to the king being commanded to leave at the post office, to which they confided their letters, the place of their residence. In spite of this, and other precautions, letters, according to Thiebault, were sometimes suppressed by the secretaries, who managed to alter the lists sent by the post-masters.

"The different letters which the king opened, he distributed into three parcels: in the first were those whose requests were favourably received, and these were marked by the sheet of paper being doubled inwards; in the second, whose petitions were refused, the sheet was doubled outwards; and the third, respecting which he doubted, and therefore wished to delay answering, had the sheet doubled partly inwards and partly outwards. About eight o'clock, the letters being all sorted, one of the four secretaries of the cabinet entered, and received the three parcels from the king. He then, while the king was at breakfast, read to him the request contained in each, reducing it to as few words as possible. The king dictated the answer equally shortly, except in cases where peculiar detail was necessary. Above all, when the answer to be made was to a woman, he never failed to add, 'It is a woman; you must write civilly to her.' The secretary made a particular mark on the top of each letter, according to the answer which was to be returned. This mark was a sort of cypher understood by

the other secretaries, and by them alone. Of course this distribution of letters did not include the private correspondence of Frederic with his friends, or with the men of talents and celebrity, with several of whom at different periods of his life he corresponded : these letters were always answered with his own hand.

"When the secretary came out of the king's apartment, he divided the letters with his three brethren, and they all immediately proceeded to write the answers, for which they had barely time enough, as it was necessary that they should be all brought to the king for signature, at the latest at four o'clock. All the labour of making the answers, as well as of copying them, was done by their own hands, as they were not allowed to have the assistance of any other persons. At the time of the signature, the king always read a few of the letters, which he took, as chance directed his hand, out of the packets ; and if, in this examination, any letter had been found wrongly answered, the secretary who had done it, would have been immediately dismissed. After the signature, the secretaries had to fold, to seal, to put in covers, and to direct the letters : the latter office was ordered to be performed by the secretaries themselves ; in the former ones they were allowed to be assisted by their servants. At five o'clock all the letters were delivered to the courier, who carried them to Berlin. As soon as he arrived at the latter place, those answers which were addressed to individuals in the town, were forthwith delivered to them, and the others were put into the post. Therefore, those persons who did not immediately receive answers to the letters they had written to the king, were almost sure not to have any at all ; unless the nature of their request had required it to be communicated to some minister, and thereby occasioned delay.

"Frederic obliged his secretaries to live in the greatest solitude, and to communicate as little as possible with any one ; and he hardly ever took one into his service who was married. These precautions were taken in order to prevent their being tempted to commit infidelities, with regard to his correspondence. Their life was one of great labour and constant slavery ; and they never dined, but were supported during the day by soups : the supper was their principal meal. To make up for these privations, their salaries were large ; and they had each a good house, granted to them by the king. To give some notion of the strictness, with which Frederic expected his secretaries to conform to the rules and way of life he had prescribed for them, it may be as well to quote his speech to the Counsellor Müller, upon offering him one of the places of secretary to the cabinet. Müller was one of the few instances, of a married man permitted to hold the situation. 'I propose to you,' said the king to him, 'to immolate yourself to the service of the state. Consider well whether you have the courage to do so. I had resolved never to employ a married man in my cabinet, and I know that you have a wife and children ; it is therefore an exception to a very important rule, that I determine myself to make in your favour. I do it in consequence of the particular esteem I have for you, and of the firm hope I entertain, that your wife and your children will never approach the room where you write, that they will know nothing, and will not meddle with any affairs. In a word, you will never forget, that, for the good of my service, you must neither have family, nor relations, nor friends!'

"With regard to the manner in which he was addressed, and as to whether sufficient respect was shown, either in the way of writing or in the terms employed, Frederic was perfectly indifferent ; but there was one point upon which he was generally known to be very particular, and that was, that the letter should not occupy more than the first side of the sheet of paper. Letters which turned the page were sure to excite his anger, to be ill-received, and drily answered.

"At nine o'clock, when Frederic had sent away his secretaries, he gave audience to his first aid-de-camp, who was for the most part a general officer. With him he arranged every thing relating to military affairs, in all their branches ; and he then dismissed him loaded with business, which was to be completed by the next day. At ten o'clock he frequently exercised either his own regiment of guards, or some other regiment of the garrison at Potsdam. After this, he attended the parade, which occupied him till dinner-time. Sometimes, though, he devoted this part of the day to his literary pursuits, to music, or to his private

correspondence; and, as he advanced in age, this habit became more frequent. During this period of the day he composed almost all his works, as well in prose as in verse; and in the course of these occupations he was frequently seen walking in his gardens, with a book under his arm, accompanied by three or four Italian greyhounds, and followed by a single page or footman. It was also at these hours that he gave his audiences; and placed all the accidental occupations, which had no other times allotted to them.

"At twelve precisely, he dined with those guests whom he had invited; whose invitations were always sent to them at ten o'clock the same morning. These guests consisted ordinarily of literary men, of his relations the princes of the house of Brunswick, of a certain number of his courtiers, and of the general officers at that time at Potsdam. If he did not intend walking after dinner, he usually prolonged that repast till near three o'clock. As he was at all times of his life peculiarly fond of good living, his dinners were excellent, except that he insisted upon each dish being very highly seasoned with pepper and spices. He had twelve cooks of different nations, who were each expected to dress the particular dishes which belonged to their respective countries. His desserts were also admirably served, as he eat much fruit, and considered it to be essential to his health. He preferred French wines, and above all champagne. At dinner he unbent himself from the labours of the day, and was almost invariably gay and willing to converse.

"During the fine season Frederic was accustomed to take long walks after dinner. His most common walk was from the palace of Sans Souci, where he passed that part of the year, through his gardens, to what is called the New Palace; a considerable distance, which he generally walked with so quick a pace, as to render it difficult and even painful to the persons who accompanied him, to keep up with him. At four o'clock, the secretaries of the cabinet brought him his answers to the letters of the morning to sign; after which he generally received the person who held the situation of secretary of his commandments. With him he transacted all the affairs and correspondence relative to the Academy, to the professors of the different schools, to men of learning, and artists. If nothing was required to be done upon these subjects, this period of the day was then devoted either to reading or literary compositions. At six o'clock his concert commenced, in which he himself played upon the flute. Of this instrument he was passionately fond, and was a great master in the art of playing upon it. He continued the use of the flute till an advanced period of his life, when, his teeth being all gone, he was no longer able to produce the sounds he wished.

"After the concert, which lasted an hour, he occupied himself in conversation till supper, which took place at ten o'clock. At eleven o'clock at the latest the king was in bed. After the seven years' war, Frederic ceased to sup, and then his evenings concluded with a conversation with the persons whom he had summoned to attend him. Such was, with very few exceptions, the disposition and occupation of Frederic's days, during the course of his long life."

At the epoch of his assuming the Prussian sceptre, the country, thanks to the administration of his predecessor, was in a state which enabled him to engage without embarrassment, in any enterprise he might choose to undertake. The population of the different portions of the kingdom, amounted to between two and three million; the military force to seventy-six thousand men in an admirable state of discipline; the annual revenues to seven million four hundred thousand crowns; and in the treasury, Frederic William had left eight million seven hundred thousand crowns, the fruits of his savings. Among the first cares of Frederic after his accession, were the augmentation of his army and the advancement of learning—signs of what were to be the cha-

racteristics of his reign. Fifteen new battalions were raised; and at the same time Maupertuis, the principal of the French academicians, was solicited by him with great earnestness to come to Berlin and establish an academy; which he did. He also made various ameliorations in the administration of his different provinces, devoting some time to journeying through them for the purpose of personal inspection and investigation. No labour was rejected by him which might tend to the benefit of his subjects; he took cognizance of every thing himself, and by his attention to the minutest details, reduced the functions of his secretaries to those of mere clerks.

The reign of Frederic may properly be divided into four periods or epochs:—1. from his accession to the end of the Silesian wars—2. the interval between those contests and the seven years' war—3. the seven years' war—4. from the conclusion of the latter to his death.—In the first, we behold him a youthful monarch, full of enterprise and daring, planning measures of aggrandizement, committing faults in their execution, yet turning these errors to the greatest advantage, by acknowledging them to himself, and considering and studying them as salutary lessons, and ultimately accomplishing his objects with brilliant success.—In the second, we view him in that light in which the eye can longest be employed without being dazzled by any unnatural glare, or sickened by the accompanying aspect of human misery and blood; the light of a paternal monarch, diffusing among all classes of his subjects prosperity and contentment, using every effort to ameliorate the condition of the poor, restraining within due bounds the rich and the great, opening to all without distinction the pure fountains of impartial justice, fostering and extending as widely as possible the influence of those liberal and useful accomplishments which shed the mildest and most beneficent radiance on the life of man; in a word, evincing his highest and least alloyed title to the epithet so often gratuitously bestowed, of “great.”—In the third, the adventurous, perhaps presumptuous, youthful leader, is presented as the unrivalled captain, without any diminution of his pristine activity and ardour, yet warned by previous occurrences, and informed by subsequent meditations, and the discretion of riper years, how to regulate and temper those qualities so as to render their effects almost invariably correspondent with their lustre, by availing himself of them for the most part as instruments of plans contrived with caution and wisdom; manifesting, at the same time, yet more admirable traits than those by which he was enabled to achieve innumerable and miraculous victories, traits indispensable to the character of a consummate general, indomitable fortitude amid overwhelming misfortunes, singular penetration in discovering, and celerity in taking advantage of every shift and turn of fortune, wondrous resources in retrieving

the most disastrous mishaps, elastic buoyancy in rising to the surface, when clogged and sunk to the lowest depths by evil fortune; by means of which, we see him at length rescuing himself and his kingdom from apparently inevitable destruction, after the most disproportionate struggle on record, which he had maintained for a protracted period, nearly single-handed, against a combination of European powers, three of whom were each possessed of physical force sufficient, it should seem, to have disabled, if not crushed him at once. In the last, the picture again exhibits chiefly the mellow tints and celestial colouring of peaceful virtues; a king endeavouring with indefatigable industry and perseverance to repair the evils inflicted on his people by the demon of strife, and devoting himself with unwearied assiduity to their physical, social, and intellectual advancement. Unhappily, however, there is one bright object wanting to the completion of this picture. The monarch is seen conferring temporal blessings on his subjects with lavish profusion, and the eye searches for the evidence of his efforts to spread amongst them the means of securing others of a higher and more durable nature. Religious toleration, freedom of conscience, are indeed beheld emanating from his hand, but where is the halo which should surround this act of enlightened Christianity? Alas! the wreath "of blasted leaves and death-distilling fruit,"—the nightshade that "waves around the sceptic head," are bound about his brows; and this measure of beneficent wisdom is exhibited as the mildeewing effect of cold indifference to all religion, the offspring of heedless infidelity, and not as proceeding from the pure and beautiful source we have mentioned. Frederic unfortunately, as before intimated, was one of those infatuated beings to whom the exquisite lines of the bard of Hope were meant to apply.

"There live, alas! of heaven-directed mien,
Of cultured soul, and sapient eye serene;
Who hail thee, man! the pilgrim of a day,
Spouse of the worm, and brother of the clay;
Frail as the leaf in autumn's yellow bower,
Dust in the wind, or dew upon the flower;
A friendless slave, a child without a sire,
Whose mortal life, and momentary fire,
Light to the grave his chance-created form,
As ocean-wrecks illuminate the storm;
And when the gun's tremendous flash is o'er,
To night and silence sink for evermore!"

The first exercise of his military force attempted by Frederic, was against the Bishop of Liege, who had protected some revolted inhabitants of Herstal, a lordship claimed both by the Prussian monarch and the episcopal prince. The former despatched a force of two thousand soldiers, who laid the town of Liege under contribution, extorting the payment of two millions of ducats,

and constraining the bishop to relinquish his pretensions. "*La raison du plus fort est toujours la meilleure*," and it must consequently be supposed that justice was on the side of Frederic. This, however, was but an insignificant prelude to the scenes in which he was about to be engaged. On the 9th of October, 1740, excessive indulgence in the delights of a dish of mushrooms put an end to the existence of the Emperor Charles the Sixth, and occasioned that series of turmoil and warfare which might justify the historian of the epoch, in commencing his narrative with the gloomy words with which Tacitus introduces his annals: "*Opus aggredior opimum casibus, atrox prœliis, discors seditionibus*." Various claimants immediately started up to different portions of the hereditary dominions of the house of Austria. They imagined they could easily take advantage of the circumstance, that the sole descendant of the emperor was a female, regardless of the obligations imposed by the Pragmatic sanction. Never, however, was there so complete a reckoning without a host, as most of them made. Maria Theresa, known for several years by the title of Queen of Hungary, ultimately taught them to their cost, that there are some female hands as capable of holding the reins of government as those of the other sex.

Frederic was the first to assert his pretensions, "with whatever justice," says Dr. Johnson, "certainly with very little generosity." He was also the only one who eventually succeeded in making them good, although they nearly induced his total destruction, and caused him to undergo a degree of labour and suffering, and his kingdom a share of evil, for which it may well be doubted whether an adequate compensation was obtained. He did not conceive himself bound by the Pragmatic sanction; his father, Frederic William, having guarantied it on condition that the court of Vienna should secure to him the succession to the dutchies of Juliers and Berg, claimed by Prussia; which had not been done. Previously to the death of the emperor, Frederic had made preparations to take advantage, as he himself says, of such occasions as fortune might furnish him, for doing himself the justice in that matter which was refused by others. The event just mentioned, opened the fairest prospect of accomplishing his object, and inspired him likewise with the design of substantiating the claims which Prussia had for a long time preferred to several portions of the province of Silesia, but which her previous monarchs had never possessed power and courage enough to pursue in the only way by which such difficulties are usually settled. Other views, also, beside those of territorial aggrandizement, operated to induce him to take the contemplated step. Visions of glory beckoned him on. The reputation of Prussia, especially as to military matters, was by no means such as to flatter the pride of a high-spirited prince. He longed to elevate

it, and by elevating it, to raise his own name to a pinnacle accordant with his towering ambition and sanguine hopes. In his "*Histoire de mon Temps*," he has himself candidly unfolded, and we might say, satisfactorily justified—if any thing can justify an aggressive war for any other purpose than that of averting danger from home—the motives by which he was actuated, in plunging into an almost shoreless ocean of blood.

Having made his arrangements with the secrecy for which he was remarkable, he set out for the conquest of Silesia, on the 18th of December, 1740, at the head of thirty thousand troops. At the same time he sent an ambassador to Vienna, to offer to Maria Theresa, on condition of her ceding Lower Silesia, his assistance against her enemies, and his vote and influence for her husband, the Duke of Lorraine, in the diet about to be held for the election of an emperor—a proposition which the proud queen haughtily refused. In a short time he made himself master of the greater part of the province, and after giving his troops some repose in winter-quarters, came to a general action on the 10th of April, 1741, with the Austrian forces under Marshal Neuperg, at Mollwit, near the river Neisse. The unrivalled discipline of the Prussian infantry secured the victory, even after the cavalry had been routed, and had hurried the king along with it, in its flight, to a distance from the field. This last circumstance occasioned various stories tending to convict Frederic of a somewhat unsoldier-like regard to personal safety, and our author seems inclined to view it in this light. It appears to us, however, much more in unison with his undoubted character for courage, as well as with the details of the case, to attribute it to the cause which we have stated, and which he himself assigns. The effect of this victory, advantageous to his interests, was the determination to which it brought the French government to take an active part in assisting him to crush the house of Austria, its constant and bitter foe. We cannot, however, proceed in a minute narrative of the varied occurrences, which resulted from the alliance formed between the two powers; and even if the requisite space were at our disposal, it would be almost a work of supererogation to avail ourselves of it for that purpose. The events of so interesting and important a period must be familiar to most of our readers.

On the 17th of May, 1742, Frederic again defeated the Austrians in a pitched battle near the village of Chotusitz. This fresh disaster induced the Austrian cabinet to make proposals of peace, and as Frederic was highly dissatisfied with the remissness and want of good faith of his allies, the French and Saxons, he consented to treat without them, and the preliminaries were signed at Breslau, on the 11th of the ensuing June. By the principal article, the Queen of Hungary ceded to the King of Prussia more than he had originally demanded—viz. Upper and

Lower Silesia and the principality of Glatz, with the exception of some not very considerable portions.

The peace between Austria and Prussia lasted until the spring of 1744, when Frederic, having good reason to believe that measures had been taken by the former power, in conjunction with England and Saxony, to regain Silesia, and make him rue his former success, determined to anticipate them with his wonted vigour. Accordingly, he entered into the alliance formed at Frankfurt, on the 27th of May, 1744; the other partners of which were France, the Elector Palatine, the King of Sweden, in his quality of Landgrave of Hesse, and the Emperor Charles VII. to which title the Elector of Bavaria had been elevated. By this treaty a counterpoise was established to the one which had previously been formed at Worms, by Austria, England, Saxony, Sardinia, and Holland, ostensibly against the emperor, but really against the King of Prussia, and the flames of war were incontinently kindled—

"Omnibus in terris quæ sunt a Gadibus usque
Auroram et Gangem :"

All Europe, the whole world indeed, burst into a devastating conflagration, which was not completely extinguished until the peace of Aix-la-Chapelle. Prussia, however, did not afford food for it during much of its continuance. After a course of nearly uninterrupted success, the most brilliant parts of which were the capture of Prague and the two signal victories of Hohen-Friedberg and Svor over the Austrians, achieved by Frederic in person, and the victory of Kasselsdorf over the Saxons, gained by Prince Leopold of Anhalt-Dessau, the most distinguished of the Prussian generals, by which Dresden, the capital of the Saxon dominions, fell into the hands of the victors—after these successes, we say, Frederic offered moderate terms of peace, which were willingly accepted by the Saxons and Austrians. In consequence, a treaty was signed on the 25th of December, 1745, at Dresden, seven days after the victorious king had entered into that city, by which he was again secured in the possession of Silesia and the county of Glatz, and obtained, besides, one or two smaller advantages. If this moderation is not to be ascribed to the generosity of Frederic, it entitles him at least to the praise of wisdom. A conqueror of less discretion and foresight, under similar circumstances, would have grasped as much as his vantage ground offered the prospect of gaining; but he saw well that every new acquisition he made would diminish his chance of preserving in peace what he already possessed, without perhaps affording a proportionable increase of means to resist aggression.

"It was the fate of Frederic," says Voltaire, "to injure Austria by war, and France by peace." The treaty of Dresden was

concluded by him, like that of Breslau, without consulting the allies of Prussia; but there can be no doubt that they had previously, on both occasions, neglected to fulfil their stipulations in relation to the latter, in consequence of which, he did not deem himself bound to continue the struggle for their benefit, when a withdrawal from it was advantageous to his own interests. Besides this consideration, he entertained particular views respecting adherence to treaties, formed much more on the ground of expediency than on that of good faith, which were not calculated to render him remarkably scrupulous. These he has developed in the preface to his work, "*The History of my Time*," and seriously maintained in a tissue of sophistry, in which it is singular so clear a head as his should ever have been entangled. It furnishes a powerful evidence of the impossibility of entertaining universally just notions of morality, when they are not established on the sole infallible foundation of morals—the principles of revealed religion.

Frederic now entered on that second and truly glorious epoch of his reign, to which we have alluded in an antecedent page, and which may be adduced as abundant proof that heroes are *not* all the same, maugre the assertion of Pope. In one point of view he was a hero like Macedonia's madman, or the fiercer lunatic of Sweden, but how different from both in his general character! Like them, to a certain extent, he was deluded by the false glare, the ignis fatuus of military glory; but how unlike them was he in the compensation he bestowed on his subjects, for the evils which they suffered in consequence of that illusion! Strong as was the resemblance he bore to them in his qualifications for war, how great the dissimilarity in those required for peace!

In January, 1746, Frederic returned to his capital, with the olive branch in his hand, and was received under triumphal arches, the people strewing his path with boughs of fir, "*faute de mieux*," as Voltaire somewhat maliciously remarks, and saluting him with the title which posterity has confirmed, of Great. After re-organizing his army, in order the better to preserve tranquillity by being able to resist oppression, and repairing as much as possible the ravages of war, he set about a work which has placed his name by the side of the Justinians and Alfreds. The following extract from Lord Dover's text will convey an adequate idea of it, and at the same time throw some light on his character in one or two respects.

"The year 1747 was rendered remarkable in the Prussian annals, by the commencement of the reform of the laws, and of the administration of justice, in the Prussian states. The ancient edicts, which were in force in these territories, were a barbarous mixture of the Roman and the Saxon laws, which were difficult to administer, and even to understand; while they were, at the same time, favourable to every species of vexatious delay. Frederic determined, as he himself expresses it, 'to destroy the hydra of chicanery.' The two first wars of

Silesia had occupied him so much, that he had been obliged to suspend this undertaking; but as soon as they were concluded, he returned to the prosecution of it, and continued to keep it in view during the whole of his long reign. In the commencement of this great work, he was fortunate in having, as his chancellor, the Baron Cocceji, a man of integrity and ability, and who had already distinguished himself in his attempts to ameliorate the laws of Prussia. Cocceji had been originally a professor in the university, which existed at Frankfort, on the Oder. He afterwards filled different offices during the reign of Frederic William, and, among others, that of president of the chamber of justice at Berlin. While occupying this post, he proposed certain reforms in the manner of administering justice; but Plotho, the minister of justice, who was jealous of him, prevented their taking effect. On the death of Plotho, Cocceji succeeded him; and forthwith drew up a general plan, with a view to the same object, which he presented to the king. Frederic William, however, referred it to some of his other lawyers, who like most members of the same profession in all countries, being strongly prejudiced in favour of the legal errors and forms and technicalities, in which they had been brought up, made an unfavourable report of Cocceji's plan, and it was, consequently, not put into execution.

"In 1747, Cocceji was made great chancellor, and, under the auspices of a more enlightened sovereign, again commenced his task. He still, it is true, found difficulties in executing his reform; but supported by the monarch, and assisted by Jarriges, who afterwards succeeded him as chancellor, and by other able lawyers, he succeeded in compiling a body of laws, which was entitled the *Code Frederic*. The most strenuous opponent of these novelties and changes was Arnim, the minister of justice: and those lawyers who took his view of the subject were, therefore, called Arnimians; while the followers of the chancellor were designated by the name of Coccejians. This contest, which ought, from the gravity of its subject, to have been kept within the bounds of reason and moderation, soon degenerated into all the bitterness of party. Arnim resigned his situation; and Cocceji, using, without mercy, his power as a conqueror, had all his followers, who held legal places, turned out.

"The merits, and they are immense ones, of the *Code Frederic* as compared with the barbaric and confused laws which preceded it, were: first, the reducing the whole body of the jurisprudence of the country to one system, agreeing in all its parts; and, secondly, the getting rid of the delays and vexatious impediments to justice, which previously existed. Undoubtedly, the new code had also many faults; among which, those that have been the most frequently reproached to it, are, the obscurity of some of its enactments, and the want of a lucid and clear order in its various provisions. But Frederic was too wise to expect perfection in any work of man; and he was, besides, well aware that a general code of laws can only be rendered as perfect as possible by degrees; by finding out its defects in practice, and by remedying them when found out. He, therefore, at once put Cocceji's code into action. It was subsequently much modified by succeeding chancellors; till at last, towards the end of the reign of Frederic, in 1781, M. de Crammer, the then chancellor, almost entirely remodelled it; and gave to Prussia the body of laws, which is still acted upon in that country.

"At the same time that the new code was promulgated, great reforms were also made in the power and constitution of the different tribunals, which led to very beneficial effects, by purifying the source of justice. So anxious was Frederic, indeed, that impartial justice should be done to all, that he was accustomed to say, when giving instructions to his judges upon their appointment, 'If a suit arises between me and one of my subjects, and that the case is a doubtful one, you should always decide against me.'

"Many years after the establishment of the *Code Frederic*, and the reform of the tribunals, Frederic received an answer from a miller, which was the strongest illustration he could possibly hope for, of the confidence of the country in the laws, and the administration of them. When the King of Prussia had determined to build, what is called the new palace of Sans Souci, part of his plan was to connect the new building with the old Sans Souci by a pleasure ground, which, in fact, exists. A mill occupied part of the ground, which he wished to include

in his new garden. He offered to buy it, and to pay for it considerably more than the value. The miller refused to part with it; and declared, that he would never leave the mill, which had descended to him from his forefathers. The king himself, in one of his walks, conversed with the miller upon the subject. Becoming at length irritated at the man's obstinacy, he said to him, 'You seem not to be aware that I am the master, and that I can take by force what you refuse to give up to me.'—'Oh,' replied the miller, 'You cannot frighten me in this way; we have judges at Berlin!' Frederic was so pleased with the answer, that he immediately abandoned his plan, and formed his gardens so as not to interfere with the patrimony of the miller.

"One of the points of reform the most insisted upon by the Chancellor Cocceji to Frederic was, that no appeal to Frederic himself from the tribunals should be permitted. The inconveniences of this appeal to the sovereign, who was generally ignorant of the circumstances of the case appealed upon, were manifold. Already, in 1743, the department of justice had memorialized the king upon the disadvantages of this appeal, which they represented, and with reason, as adding greatly to the length of the suits, to the detention of the prisoners, and to the expenses of the causes. Frederic had then refused to accede to their recommendation, alleging, as his reason, that if he consented to it, 'the judges would be able to oppress the poor people of the provinces as much as they liked.' At the time of the Chancellor Cocceji's reform, he at length agreed to the abolition of the appeal, which renunciation on his part, did not, however, long continue in force. The anxiety of Frederic to do every thing by himself, soon caused him to take a part in the petitions and memorials, which were sent to him against the decisions of the different judges. In doing this, he was undoubtedly actuated by the best of motives, namely, that of obtaining impartial justice for his people; but the results of his conduct were not on that account the less injurious, both to the tribunals and to the suitors. His arbitrary manner of dealing with the sentences pronounced by the courts, decried those who sat upon the judgment seat in the eyes of the country; and the impossibility, on the part of the king, to obtain a fair view of the subject under discussion, occasioned him frequently committing actual injustice.

"In criminal sentences, Frederic was always against inflicting severe punishments; and his objection to putting to death even the greatest criminals, which continued during his whole life, does infinite honour to his humanity. This forbearance to shed blood did not, however, extend to the laws which regulated the military. The Prussian discipline was of the strictest and harshest kind; and symptoms of insubordination were generally punished with a disproportioned rigour. The barbarity of these military punishments, at which humanity shudders, would appear, at first sight, to be quite incompatible with the compassionate intentions usually shown by Frederic towards criminals; but the exaggerated notions of discipline, in which he had been brought up, appear, upon all points connected with the army, to have extinguished entirely the better feelings of his nature. Perhaps (though it is not mentioned as an excuse) his conviction, that the existence of Prussia depended upon her army, added to his extreme severity for military faults and crimes. Something must also be conceded to the natural inconsistency of human nature, increased by the possession of absolute sovereignty; which may have led him, though generally merciful, to be sometimes unreasonably severe.

"It is certain, however, that few despotic sovereigns (and no sovereignty was ever more despotic than that of Prussia in the days of Frederic, for his word was law in every branch and every department of government, and over every subject of his kingdom,) have ever been more careful than he was, to prevent injustice or oppression, or more anxious to mitigate, as much as he was able, criminal punishments. On the memorials also, which were sent him against the decision of the judges in civil suits, he usually wrote, when he sent them back to be reheard, such phrases as these: 'Do not be so harsh upon the poor;' 'I do not choose that the lower orders should be oppressed;' 'I will not allow my subjects to be tyrannized over;' &c. Upon one occasion, the Chancellor Fürst proved to the king the injustice of a complaint made by a peasant, and wished

to punish the man for having made it ; but Frederic replied, 'It is not my intention that these poor peasants should be imprisoned for faults of this kind. Though they are often in the wrong, I cannot bring myself not to listen to their complaints. Am I not their father?'

"The advantages resulting to the public from these exhibitions of humane feeling, on the part of Frederic, were, however, as has been before remarked, greatly overbalanced by the inconveniences, to which his interference in the administration of the laws frequently gave rise. As one instance, out of many, of the gross injustice he thus unintentionally committed, the account of the cause of the miller Arnold may be cited. This case, which made considerable noise in Europe at the time it happened, took place many years after the period we are now treating of; but as it relates to the system of jurisprudence of Frederic, it cannot be better placed, than as an illustration of this part of his history.

"In one of the journeys which Frederic made every year, for the purpose of reviewing his troops, a miller of the name of Arnold, living near a village in Pomerania, presented to him a petition, in which he said, 'Sire, I pay your majesty three hundred rix-dollars of rent for the water-mill, which belongs to you, in the village I inhabit; but the Count N—— diverts the course of the water, which is necessary to work the mill; and I have, in consequence, neither the means of paying your rent, nor of existing myself.' Frederic sent the petition to the then chancellor, M. de Fürst, with this marginal note to it: 'Let justice be done to this miller.' The cause was in consequence tried, and the miller lost it. The following year the miller presented another petition, stating to the king, that he had lost his cause; but that, nevertheless, the facts which he had before stated to his majesty were correct. Again Frederic sent the petition to the chancellor, with the following note: 'Let this cause be brought before the second tribunal; and let great care be taken that justice is done to this man.' The miller again had judgment given against him; and again petitioned the king, but more in the language of despair than of complaint.

"This last petition Frederic kept, with the view of endeavouring to verify the facts contained in it. For this purpose he sent to the place, under other pretext, an old military officer, a man of probity; and ordered him to visit the spot, and to make an exact report, *to himself alone*, of every thing relating to the mill, and of the purposes to which the Count N—— applied the water. The officer, whose own estate was situated in the neighbourhood, fulfilled his commission without exciting any suspicions, and declared to the king, at his return, that, after having thoroughly examined the state of things on the spot, he was convinced that the mill could not work for want of water; which want of water was occasioned, by the diversion of the stream caused by the count, and which was, therefore, the cause of the miller's ruin.

"But Frederic was not content with a single testimony upon the subject. After the departure of the officer, he had given the same commission, and in the same secret manner, to two other trustworthy persons, who also made him a similar report.

"Frederic now became extremely indignant with his judges. He sent for the Chancellor Fürst, and the three judges, who sat in the court of appeal. He received them with the greatest severity; hardly permitting them to utter a word in their own defence, while he abused them, without measure, for their injustice and villany. He then took a pen, and wrote with his left hand, being at the moment suffering under a fit of gout in his right, a sentence, which condemned the count to restore, to the use of the miller, all the water which the stream contained; to pay the costs of the suit, and a sum, by way of reparation, to the miller. As soon as he had done this, he recommenced his invectives against the judges; told Fürst he no longer needed his services; ordered them all to be confined in the fortress of Spandau; and concluded the audience by literally kicking them out of the room!

"It is obvious that the conduct of the King of Prussia, upon this occasion, was neither decorous nor judicious, as practised towards the chief magistrates of his tribunals, even supposing they had committed the injustice, of which they were accused. But this was not the case. It afterwards appeared that the lands of the

count were situated lower down the stream than the mill; and that, consequently, he did not receive the water, till after the miller had first made use of it. It is true, the count, for the purpose of irrigating his meadows, had made new channels for the stream, and thus, by increasing the rapidity of its descent, had left the original bed lower than was convenient for the purposes of the miller; so that those persons, who made their report to Frederic, were correct in stating, that it was the count's proceedings which had injured the miller. At the same time, the judges were entirely justified in the decision they had come to; it being a principle of jurisprudence, that a man has a right to do what he pleases with a stream which passes through his lands, provided he does not take it away from proprietors living below him. Of course it was, at the same time, perfectly in the power of the miller to have remedied the inconvenience he complained of, by damming up the water to the height that was sufficient for his own purposes.

"These violent proceedings of Frederic made a great sensation, not only in his own dominions, but throughout Europe. The lawyers of Berlin, and the ministers of Frederic, all took the part of the disgraced magistrates; but the king refused to listen to them. At length, more than six months after the affair had happened, Frederic read an account of the transaction in the *'Annales Politiques'* of Linguet, in which the whole matter was so ably and clearly discussed, that he at once saw the error he had committed. In consequence, he forthwith released the judges from Spandau, and restored them to their seats on the bench; all except the chancellor, with whom he had other causes for being dissatisfied, and who remained in disgrace. But it was not possible for the king, however much he might wish it, to repair the evil he had done. It was long before the tribunals of Brandenburg recovered anything like feelings of independence. Judges, who knew themselves liable to be personally insulted by an absolute monarch for their decisions, were not likely to think so much of the justice of the cases that came before them, as of deciding them in the way which might be the least likely to bring upon them similar indignities. And suitors could not be expected to look either with respect or confidence towards magistrates, who had been or might be so treated by their sovereign.

"Thiebault mentions, (as a remarkable instance of the power of Frederic over himself, with regard to outward appearances,) that he himself passed the very evening, on which the scene with the judges had taken place, with the king. As they went out at one door, Thiebault entered at another; and found the king tranquilly seated in his arm-chair, who discussed with him various subjects of literature and philosophy, without appearing more agitated or excited than usual.

"In one point of view, and one alone, the anecdote of the miller, from its being so extensively known, had a beneficial effect. It greatly increased the popularity of Frederic among the lower orders of his subjects, by proving to them, how much their representations and complaints to him were attended to. It also had, of course, the effect of making those complaints much more numerous. One of them became the occasion of showing both the king and one of his judges in a very advantageous point of view. A peasant presented to the king a petition, against a decision of the tribunal of justice. The man, it would appear, had no reason on his side; but Frederic thought otherwise, and therefore sent an order to the tribunal to revise their sentence. The cause was heard a second time, and the decision was the same as the first. Again the king sent it back to the tribunal, who confirmed their former judgments. Upon this Frederic became angry, and returned the sentence to Münchhausen, the president of the tribunal, with these words written beneath it, 'Ill-examined into; ill-considered; ill-decided.' Münchhausen replied with all the forms of respect; but with these remarkable words: 'My head is at your disposal, but not my conscience, which obliges me to declare, that the judgment ought to continue as it has been given.' Frederic at first was angry at the president's boldness; but finding, upon further inquiry, he was in the right, he wrote him a letter applauding his firmness, and gave him an increase of salary."

The kindness of Frederic towards the lower orders was re-

markable. To every one of them who came to make complaints or requests, he was accessible at all hours and in all places; the natural consequence of which was an unbounded attachment to him on their part. He endeavoured to improve their condition in every possible way, and in one respect, especially, his efforts to do so should cause his memory to be honoured by all who are capable of appreciating true philanthropy. When he ascended the throne, great numbers of the cultivators of the soil were serfs at the disposal of their feudal lords, without whose permission they could not hold property of any kind, or even marry. He determined to remove this revolting evil, but was obliged to proceed with circumspection and care, as obstacles were presented as well by the slaves, whose ignorance rendered them fearful of any change, as by the masters themselves. At length he had the satisfaction of accomplishing his humane and politic object. He first released from servitude all the peasants on the domains of the crown, an example which, by degrees, was imitated by various Prussian proprietors, so as to enable him, finally, in 1766, when he deemed his people better prepared for it, to issue a special edict, abolishing all personal bondage throughout his dominions.

Kind as was his treatment of all the inferior classes of his subjects, there was one towards whom he manifested invariably particular consideration. This consisted of the inhabitants of the colonies he had planted in different portions of his territories, which previously had been barren and desert, by inviting settlers from all parts of Europe, building villages for them, and supplying them with all the means requisite for a comfortable subsistence. His father had set him the example in this wise measure, and by following it up, he derived abundant remuneration for all the trouble and expense which he incurred.

With regard to the defects and merits of his conduct in relation to his soldiers, it may not be amiss to transcribe a portion of Lord Dover's text.

"Determined as Frederic was to rule by himself, and, as it were, in his own person, over all the departments of government, he was yet more peculiarly so; with regard to every thing connected with the military service. There existed, it is true, at Berlin, a minister of war; but his duties were confined to the subaltern detail of providing for the lodging, provisions, and clothing of the army, without ever presuming to exercise any authority or any patronage.

"It was the intention of Frederic, as much from policy as from inclination, that the military should be considered the first order in the state. In a country like Prussia, possessing no natural defences, and surrounded by more powerful neighbours than herself, and depending, therefore, for her safety, entirely upon the bayonets of her soldiers; this pre-eminence was, perhaps, necessary, at all events not unnatural. In order to make it the more complete, Frederic was himself always a soldier. He never appeared except in a military uniform; and moreover was accustomed, from time to time, in imitation of his father, to exercise his soldiers himself; in other words, to perform the office of a drill sergeant.

is brother, and the other princes of his family, were also expected to occupy themselves in the same manner.

* But though the pre-eminence of the military was established, and acknowledged throughout the Prussian dominions, so excellent was the discipline established by Frederic, that the peaceable citizens had never to complain of any reactions or outrages, exercised towards them either by soldiers or officers. One excellent regulation of Frederic, with regard to his army, was, the enabling persons of all ranks to rise equally to the highest situations, provided they had merit—a rule the more admirable, as it was in direct opposition with that established by other despotic sovereigns, and which prevailed over the greater part of Europe at that time. How tenacious Frederic was of enforcing his own more liberal, as well as more rational, view of military promotion, may be gathered from the following anecdote. A Hanoverian count wrote to the King of Prussia, requesting him to receive his son into his army, and to make him at once an officer, in favour of his high birth. Frederic thought this a very ridiculous proposition, and dictated, in consequence, the following answer:—

“Your letter of the 22d of May has informed me of the request you make to me, on the subject of your son. But I am obliged to tell you, that I have long forbid any counts being received as such into my army; for when they have served one or two years, they retire; and merely make their short military career subject of vain boasting. If your son wishes to serve, the title of count can be of no use to him; but he will be promoted if he learns his profession well.”

“Postscript in the king's own hand:—

“Young counts, who have learned nothing, are the most ignorant people in all countries. In England, the king's son begins by being a sailor on board a ship, in order to learn the manœuvres belonging to that service. If it should miraculously happen that a count could be good for any thing, it must be by banishing all thoughts about his titles and his birth, for these are only follies. Every thing depends upon personal merit.

FREDERIC.”

“As the population of his own territories was not sufficient to supply the necessary reinforcements for his army, the King of Prussia was obliged to have recourse to other means for this purpose. With this view, recruiting parties of Russian officers were sent to different parts of Europe, generally in disguise; whose business it was, to try and persuade the inhabitants of the countries where they were, to enter the Prussian service, as well as to engage all the deserters they could meet with, and even to seduce others to become deserters. This was sometimes a service of danger, as the Prussian recruiters, if found out, were sure to be ill-treated, and, upon more than one occasion, were summarily put to death. For the toleration of this sort of seduction of men from their duty, no excuse can be found; though it was, perhaps, a less crying act of injustice, than the forcible abduction practised by Frederic William. Some instances of this latter proceeding, however, occurred during the reign of Frederic, but generally without his knowledge.

“But the most dreadful part of Frederic's military system was, the extreme severity of discipline and of punishment, to which, as has been already mentioned, the soldier was obliged to submit. This was carried to so great a length, and desertion was so difficult, that attempts at suicide among the soldiers, in order to rid themselves of their misery, were not unfrequent. Doctor Zimmerman relates, that an officer at Potsdam informed him, that during ten years, a number of cases of suicide committed in the little town of Potsdam was more than three hundred. It also not unfrequently happened, that a soldier murdered a child, and then came and gave himself up to justice. This mode of getting rid of their lives, was adopted by some of them, instead of suicide, for this reason: they thought, that if they committed suicide they should be subject to eternal punishment; whereas the murdered infant was sure to go to heaven, and they themselves had time to repent of their crime, and to make their peace with the Almighty. To such extremities did the barbarous conduct of their officers drive these unfortunate men; whose despair also sometimes, not unnaturally, took the turn of mutiny, and of putting to death the officers who tormented them, or were particularly unpopular.

"It should be mentioned to his honour, that Prince Henry, the brother of the King of Prussia, was always an enemy to the excessive rigour exercised in the Prussian army; and more especially to the blows inflicted on the private soldiers, for slight inaccuracies or ignorance in going through their exercise. He used to say to his officers, 'If a soldier performs an evolution ill, it is that you have not practised him sufficiently at it: exercise him an additional hour or two in the evening, and he will be sufficiently punished. If you strike him, you punish him on account of your own idleness!'

"The account given by Trenck, in his *Memoirs*, of the discipline and the toil endured by the body-guards of Frederic, to whom he belonged, and who were considered, in many respects, the most distinguished troops in the service, may give us some idea of the sufferings of the Prussian military. He describes the regiment, as the best school for cavalry in the world: it was composed entirely of chosen men; and the uniform was the richest possible. He adds that, even in time of peace, he had hardly an hour in a day to himself. At four o'clock in the morning the exercise commenced; and trial was made of all the new manœuvres, which the king intended to introduce into the tactics of the cavalry. These unhappy body-guards were obliged to leap over trenches, which were perpetually enlarged, till some of them fell in, and broke their legs or arms. They were also obliged, in charging, to leap over hedges, and so to continue their charge, at full gallop, for miles together; the consequence was, that they frequently brought home some of their number either killed or wounded. At mid-day they mounted fresh horses, and recommenced their labours. It was also a very common thing to call them from their beds, and make them mount on horseback twice in one night. This was done to keep them on the alert; and any guardsman, who did not present himself on horseback, and fully equipped, in the space of eight minutes, was put under arrest for a fortnight. He adds, that he himself lost three horses in the space of one year; and that in the same space of time, during peace, the body-guards lost more men and horses, than they had done in two battles during the war.

"It is a more pleasing task, than dwelling upon this picture of harsh military servitude, to turn to the kindness, the attention, the familiarity of Frederic towards his soldiers, while enduring the fatigues of war. This was invariable; and endeared him so much to them, that, at his bidding, they were ready to affront all difficulties and dangers, and even the certainty of death itself. 'Papa,' and 'Our good old Fritz,' were the names of endearment by which they distinguished him. His manner of encouraging his soldiers to new exertions, when they were fatigued or out of humour, was by a judicious familiarity. Thus, in the second war of Silesia, when, on a certain occasion, the army had marched all night, and that it was necessary for them to set forward again in the morning in the midst of a snow storm, Frederic perceived that they were out of humour, and disposed to complain. He, therefore, descended from his horse, and began marching in the snow at their head: then, after a few moments of silence, he turned round to them and said, 'Come, my friends, let us march. If we were a parcel of cowards, we should be now in our bed-gowns in a warm room: but we are soldiers; so come on.' Upon hearing this appeal the soldiers proceeded cheerfully. It was, indeed, his constant habit, whenever the march was a difficult one, to place himself at the head of the infantry, and to march on foot, in order to encourage them.

"Anecdotes upon this subject might be multiplied, so as to be tedious; but there is one which ought not to be omitted, both on account of its affording a very striking example of the familiarity, which existed between Frederic and his soldiers, as well as of the dangers to which that sovereign exposed his person. One evening, after a great battle, Frederic approached a fire, which had been lighted by some of the grenadiers of his own regiment. The soldiers began to ask him where he had been during the battle; 'Generally,' said they, 'you lead us yourself where the fire is hottest; but this time nobody saw you, and it is not right to abandon us so.' The king, in a good-humoured manner, explained to them in what part of the field he had been, and his reasons for being there, which had prevented him from being at the head of his own regiment. As he

began to grow warm, he unbuttoned his great coat, and a ball dropped out, which he had received in his clothes. The hole the ball had made in the great coat and coat was also perceptible. Upon this, the enthusiasm of the soldiers knew no bounds. They cried out, with all the tenderness of expression, belonging in the German tongue to the singular pronoun, 'You are our own good old Fritz; you share in all our dangers with us: we will all die for you!' And the conversation concluded with their cheers, and their entreaties to the king, to take more care of his own safety."

The administration of the finances, which had been placed by his father on an exact and simple footing, was greatly improved by him; and, according to our author, he arrived, towards the end of his reign, as near as any sovereign ever did, to perfection in that part of finance which consists in extracting as much as possible from the people, without overburthening or impoverishing them, and receiving into the royal coffers the sums so extracted, with the least possible deductions. It was the policy of the Prussian monarchs to keep always a considerable treasure in reserve, in case of war or other emergencies, knowing, as they did, that they could not increase their imposts to any efficacious extent; and in pursuance of this plan, Frederic amassed a sum, which, near the close of his reign, amounted to about twelve millions of pounds sterling. Besides this, which was preserved in the vaults of the palace at Berlin, he had at Potsdam a smaller fund of about two millions and a half, called "*La Chatouille*," from which he was accustomed to take whatever money he wanted for his buildings, pictures, and other articles of luxury, and out of which several establishments were paid.

There was no measure conducive to the welfare of his subjects, which Frederic did not zealously adopt. We have already mentioned several highly important steps taken by him with that view, and in addition, he introduced various branches of manufacture, among which may be enumerated those of china, woollens, and silk, and improved the condition of others; he established great magazines of corn in most of the towns of his dominions, by means of which he was enabled to prevent the mischiefs resulting from failures of crops, to provision his army in time of war, without occasioning inconvenience to the inhabitants of the country, and further, even when no scarcity was apprehended, so to regulate the price of the article as to hinder it from rising beyond the reach of the lower orders. But the crowning point of his civil glories, was his enthusiastic earnestness in promoting the cause of knowledge—in diffusing as far as his sphere of action extended, the inestimable blessings of education. After collecting all the information upon the subject which he could obtain, he proceeded, by degrees, to found schools on the most approved system, throughout his dominions; and one of his first questions, says Lord Dover, to the local authorities, in his different tours, always related to the means of instruction which

each neighbourhood enjoyed. When these appeared to him deficient, they were immediately increased. It thus happened, that at several periods of his reign, he established as many as sixty schools in the course of one year.

"He was also very solicitous to improve the mode of education of the higher orders. With this view, he favoured and encouraged his colleges and universities, by granting them privileges, and procuring for them able professors. But his great work in favour of education, was the extensive establishment he founded at Berlin, under the name of *The Civil and Military School for the sons of gentlemen*. At the first institution of this school, he wrote himself a long and detailed instruction, for the professors who conducted it. In this he decided for them, what they were to teach, as well as the manner of teaching; and explained, in detail, the regulations of every kind, which he wished to have enforced. This document is doubly valuable, first, as proving the extreme interest taken by Frederic in this establishment, and the degree to which he had studied the subject of education; and secondly, from the ability with which it is composed for the purposes intended.

"Nor did the care of Frederic, for the Civil and Military School, cease with its establishment. He continued always feelingly alive to its interests; and one of his constant cares was the procuring for it able and trustworthy professors. Of these the greater number came either from Paris or Switzerland; and the king was accustomed to employ D'Alembert, Diderot, and other learned men, to choose them for him. Among those who did most honour to this establishment, may be mentioned Sulzer, Toussaint, Weguelin, De Castillon, Borrelly, and lastly, Thiebault, from whose account this short notice is taken.

"The Academy, the restoration of which by Frederic has been already noticed, was the subject of the peculiar attention of its sovereign. By the advice of its first president, Maupertuis, this institution was divided into four classes—mathematics, experimental philosophy, metaphysics or speculative philosophy, and literature; the union of which different branches formed 'The Royal Academy of Sciences and Belles-Lettres.' The funds of this society proceeded principally from the monopoly of the publication of almanacs. It had also the monopoly of the publication of the laws, and of maps and charts; as well as the possession of certain estates, planted with mulberry trees for the encouragement of the cultivation of silk-worms; but these latter sources of revenue never proved very considerable. The king assigned to it apartments in a vast building belonging to him, of which the lower floor was occupied as the royal stables. This destination occasioned M. Formey, the secretary of the Academy, to remark, that '*his majesty had placed the horses and mules below, and the asses above*.'

"In the same building, the king established an academy or school of painting, which, however, having only very insufficient funds at its control, never arrived either at eminence or consideration; but continued to linger on unnoticed.

"It was one of the most constant cares of Frederic's life, to induce learned and scientific men to become members of his Academy; and to come and settle at Berlin, and there prosecute the course of their studies. In consequence of these efforts, this literary society was at different times dignified and adorned by the talents and labours of Euler, Voltaire, Algarotti, Maupertuis, D'Argens, D'Arnaud, Sulzer, Bitaubé, Merian, Lambert, Margraff, Achard, La Grange, Beguelin, Formey, Toussaint, Denina, Ramler, Castillon, and others of equal merit.

"Frederic showed his affection for his Academy, not only in his anxiety to procure for it worthy members, but also by writing papers upon various subjects, to be read at its sittings. He also frequently composed the funeral orations of academicians of celebrity, which it was the custom to read at the Academy, upon the occasion of its first meeting after their deaths. Thiebault gives us an account of several, which he was himself employed by the king, first to correct, and afterwards to read to the Academy. Among these was the one occasioned by the death of Voltaire; and another by that of his nephew, Prince Henry of Prussia;

whose loss, according to Thiebault, he seems to have most feelingly and deeply deplored."

The name of Voltaire is mentioned in the above extract, amongst those whom the king induced to reside for a time at Berlin, and certainly there are few more curious episodes in the history of any remarkable personage, than that which is furnished by the anomalous relations between Frederic and the French wit. The details, however, of the case, are so familiar to every general reader, that it is needless to dwell upon them here; yet they are highly important in the light which they shed upon the characters of two such extraordinary beings. At the same time they convey a melancholy commentary upon the miserable weakness of poor human nature, even where it is invested with attributes which would seem to disdain even the most distant communion with any of its grovelling frailties.

In 1756, commenced the famous struggle which "immortalized Frederic and the Prussian nation, but brought the state to the brink of destruction." "Louis the XIV.," says Voltaire, "was admired for having resisted singly the combined power of Germany, England, Italy, and Holland; but we have witnessed a more extraordinary event in our day—an elector of Brandenburg withstand unaided all the efforts of Austria, Russia, France, Sweden, and a moiety of the empire." The incidents of the seven years' war, it would be altogether impossible to detail within our restricted limits; but we may refer for a satisfactory, if not a striking account of them, to Lord Dover's pages. They should be thoroughly studied, in order to appreciate the full extent and splendour of Frederic's military abilities. It should be well understood, how exclusively, we might say, to the exertion of these was the Prussian kingdom indebted for its rescue from a fate like that which overwhelmed Ilium, and Carthage, and Greece, and Rome—it should be felt how grand was the spectacle he exhibited, of the power of mind over the most preponderating physical force—to be able to indicate the rank on the rolls of human greatness to which he is entitled. For our own parts, we do not hesitate to express a firm conviction, that an impartial estimate of the seemingly insurmountable difficulties by which he was beset, and of his immediate agency in overcoming them with scanty means, must satisfy every unprejudiced inquirer, that no chief, whose deeds are recorded in either ancient or modern story, was ever gifted with higher endowments of mind and spirit combined, with faculties better adapted to every emergency. There is indeed one man, whom, take him for all in all, we should place above and beyond,—

Whose name's a watchword, such as ne'er
Shall sink while there's an echo left to air—

but he is a being unimitated and inimitable; as completely set apart from the rest of mankind, as is the one only sun from the planets. We need not say that it is now no longer American egotism, that it is the concurring voice of both hemispheres, which prompts and authorizes the assertion, that this man is Washington.

Among the dialogues of Lucian, there is one in which the interlocutors are Alexander, Scipio, and Hannibal, who contend before Rhadamanthus for the palm of military fame, until at length a decision is pronounced by the Tartarian judge with regard to their relative pretensions and deserts. The precedence, of course, is awarded to the countryman of the author, while, if we mistake not, the second place is accorded to Scipio, the Carthaginian being put beneath both—an arrangement with which, by the way, it might easily be shown that justice had much less to do than national predilections. It would not be an uninteresting task to attempt a colloquy of a similar kind, selecting however an arbitrator less open to undue bias than the one just mentioned, in which Frederic should be confronted with any two worthies of modern Europe. It would be found, we think, by a candid investigation, that Frederic was inferior to Napoleon alone in the general eclat of his victories, whilst they were on most occasions achieved against greater odds, and more palpably, perhaps, by the skill of the general—that in elasticity, in ability to repair disaster, in power to bear up against adversity, in all those qualities, in short, by which fortune may be defied and commanded, he was superior to that wondrous personage—that we may apply to him, with strict justice, what we cannot do to the other, a sentence which he himself has recorded in his “History of my Time:” “*Le plus grand général du monde, seroit celui qui dans les diverses fortunes conserveroit un esprit égal et qui ne sépareroit jamais l’activité de la prudence.*” In proof of what we have said, it is only necessary to refer to the career of Napoleon from the moment of his first discomfiture in Russia, and contrast it with the conduct of Frederic, during the seven years’ war. Even after the battle of Leipsic, the emperor of the French was master of proportionably far greater means of retrieving his affairs, than the other could, at any period of the renowned struggle, have opposed to the power of his enemies. In fine, if there be truth, as undoubtedly there is, in the phrase of Cicero—*Quo difficilior hoc præclarius*—then the palm must be awarded to Frederic, as the one who surmounted the greatest obstacles with the least external assistance.

From the close of the seven years’ war in 1763, until the death of Frederic, his history presents a course of wise and paternal government, which rendered him an object of unlimited veneration.

tion to his subjects, and of universal admiration to his contemporaries. It was interrupted only by the war of the Bavarian succession, which lasted for about a year, and in which he appeared in the glorious light of the defender of the liberties of the Germanic body, and of the rights of its princes, against the encroachments and usurpations of the House of Austria. "There is no doubt," says our author, "that a wish to curb the grasping power of his ancient enemy, as well as to arrest the restless ambition of the young emperor, Joseph the Second, influenced him in the course he took; but still there must have entered into his motives much of the better feelings of our nature—compassion for the oppressed, and indignation at the oppressor—for he had personally nothing to gain in the war into which he plunged, and from entering into which, his age, his former laurels, and his powerful position in Europe, would have seemed naturally to have exempted him." There is, indeed, one blot, and that of no light dye, upon this portion of his career; we allude to the share he took in the partition of Poland, for which the most subtle casuist would be at a loss to invent an excuse, save, perhaps, the preposterous one that the other actors in this scene of iniquity would have executed it at all events, and that he only took advantage of an inevitable event. But maledictions and anathemas have been heaped upon the heads of the perpetrators of the crime, of such vehemence, and in such quantities, that it would be a waste of paper to express more in relation to it than a mere sentiment of unqualified reprobation.

Amidst all the cares and distractions of sovereignty, Frederic did not intermit his studies and literary pursuits. At no period, if we may become a little mythological, did he allow himself to be so engrossed with his sacrifices at the altars of Jupiter and of Mars, as to neglect entirely his devotions at the shrines of Minerva and Apollo. Nor was he an unfavoured worshipper at the latter, although he may appear with a more imposing and blooming chaplet in the temples of government and war. His talents as a writer would, we are confident, have earned for him no small celebrity, even if segregated from his other higher titles to fame. The principal works which he composed, are historical. "It belonged to Cæsar," says Voltaire, "to write his commentaries," and this has been fully done by Frederic. The "History of my Time," comprising the account of the Silesian wars; the "History of the seven years' war;" the "Memoirs from the peace of Hurbetsbourg, 1763, to the end of the partition of Poland, 1775;" and the "History of the war of Bohemia, in 1778;" furnish almost a complete series of annals with regard to his career. Their merits and defects are so nearly identical, that the same observations are applicable to each. They were all composed immediately after the occurrence of the transactions they record, and wear

such an aspect of unadulterated truth, that no one, the most sceptical, can deem them obnoxious to the sweeping invective of Walpole against history. The impartiality, indeed, of Frederic, is striking, and perhaps the anxious desire he seems to have felt to be fair to both enemies and friends, has caused him sometimes to be rather too indiscriminately lavish of praise. His ingenuousness in avowing his own faults, and his naïveté almost, in disclosing his resolutions and efforts to profit by them as useful lessons, furnish an exemplary instance of the manner in which the recommendation of the wise man—*γνώθι σε αὐτὸν*,—is efficacious in conducting to great results. We do not recollect the case of an autobiographer, who has so completely overcome the natural and almost irresistible impulse to exhibit one's own excellence in the most favourable light. Not a particle of evidence that these productions proceeded from the pen of the king, is afforded by any laudatory allusions to himself. In fact, the fault is on the other side; for not unfrequently, his merits are suffered to remain in the shade, where a third person would have displayed them in brilliant colours. His own deeds he allows to speak for themselves, giving merely a bare relation of them, and thus often doing himself injustice, as, in many instances, it is indispensable for the proper appreciation of the real qualities of things, to view them in strong relief. A literal translation, it is said, is not always the most faithful, and so it may be affirmed, that a simple narrative does not invariably convey an adequate idea of the nature of facts.

The principal fault of these works, is their tedious minuteness of detail, in matters, even, intrinsically insignificant. But they are written with spirit, contain not a few acute and sagacious remarks, and cannot fail to be read with interest and advantage.—In addition to these volumes, there is another historical publication of Frederic, which we have not yet named: the *Memoirs of the House of Brandenburg*. It was the first work of the kind accomplished by its author, and in one respect, that of terseness and concision, may be pronounced the best. His other prose works consist of dissertations and essays on various subjects, a voluminous correspondence with many of the distinguished persons of the day, especially the famous wits and philosophers of Paris, and eulogies elicited by the deaths of relations and friends. The latter he was wont to have read at the meetings of the Academy, which was generally done by Thiebault, who was also the individual usually employed to correct them beforehand.

The poetical effusions of Frederic, are worthy, in number at least, of their prosaic brethren. Making verses was a supreme felicity, an absolute mania with him throughout life. Amid all the bustle of the camp, the hazards of the march, the toil of the cabinet, he constantly resorted to it, to use his own words, as “a real enjoyment, a perfect and delightful relaxation.” In his

letters on nearly all subjects, he is perpetually straying from the prose path in which he sets out, into the flowery meads and fields of rhyme. Ovid, himself, could hardly have experienced greater difficulty than he did, in keeping within the bounds of unmetrical phraseology, and almost with as much confidence as that exquisite poet, might he have said,

Toto Helicone relicto,
Scribere conabar verba soluta modis;
Sponte sua carmen numeros veniebat ad aptos
Et quod tentabam dicere, versus erat.

The best of his offerings to the Muse, is "The Art of War," which contains many fine lines, and several passages of decided excellence; but generally speaking, the quality of his verse is not in keeping with its quantity, and does not rise much above the level which, according to the prince of poetical critics, will be immortalized by neither gods, nor men, nor columns.

We have thus given, we believe, an insight into the public character, if it may so be called for the sake of distinction, of the illustrious subject of Lord Dover's volumes; and we may now say a few words respecting the man as he was in private life. Voltaire described him, in his piquant manner, as resembling a marble table, "*dur et poli*," but there can be no doubt of the injustice of this comparison. Without question, it cannot be pretended that he was endowed with very quick and delicate sensibilities, yet, besides the general tenor of his conduct in proof of the average goodness of his disposition, there are various authentic anecdotes on record, which evince any thing but a lack of sound and affectionate feeling. The following extract from Thiebault's "*Souvenirs*," translated by Lord Dover, in which the contrast between the king and his illustrious younger brother is ingeniously managed, will convey a just estimate of both.

"The countenances of both the king and Prince Henry were much marked, and very characteristic. But the king had a handsome head, which did not, however, prevent the expression of his face from being very harsh, when he chose it; while the prince, who was any thing but handsome, soon appeared very pleasing. No one ever, perhaps, had eyes more full of life and talent, or with an expression more penetrating, and, at the same time, more agreeable, than the first, and yet they easily became terrible and overpowering. The second had eyes, which almost squinted, and at first sight appeared very stern; and yet it was impossible to hear him talk for two minutes, without forgetting this defect. The elder brother had a turn of mind, which was easy and sparkling, full of sallies and epigrams, naturally turned to gaiety and raillery; but penetrating, and, if the expression may be permitted, prophetic, and possessing that sort of finesse, which circumvents others, and partakes of the character of deceit. Prince Henry's understanding was of a serious kind, but without slowness; he was fond of discussion, but without pedantry; severe, but without malice; delicate, without falseness; true and just, without harshness or solemnity; his finesse was only prudence, and was confined to the discovery of that of others, in order not to be overreached by them. Every man of observation would have been enchanted to approach and listen to the king occasionally, and would have admired him. Every man of honour and feeling would have wished to pass his life

with the prince, and would have loved him. The former scattered his intellect in society with profusion: the latter never failed to render it agreeable, by the most delicate attentions to others, and the most obliging civilities. Both of them were more than instructed—they were learned: both had equally the depth, the extent, and the fertility of genius. They have both executed great things in war and politics; but the one performed them, as if by inspiration, and the other with reflection and calculation. Hence it has arisen, that the one committed many faults, but achieved many more great deeds; and that the other, having also done much, had no faults to reproach himself with. With regard to their failings, the king might be reproached with having too little, and the prince too much, confidence in others. As to discretion, the king sometimes told too much from passion; the prince was never indiscreet, except about what concerned himself personally; because the first was more naturally irritable, and the latter was only frank. Both were very proud on particular occasions—the king, when he thought any one was about to be wanting in respect to him; the prince, when any one had actually been so.’ ”

To this we may add the following description, by Dr. Moore, of Frederic's personal appearance.

“ ‘ The King of Prussia is below the middle size, well made, and remarkably active for his time of life. He has become hardy by exercise and a laborious life; for his constitution originally seems to have been none of the strongest. His look announces spirit and penetration. He has fine blue eyes; and, in my opinion, his countenance, upon the whole, is agreeable. Some who have seen him are of a different opinion; all who judge from his portraits only must be so; for although I have seen many, which have a little resemblance to him, and some which have a great deal, yet none of them do him justice. His features acquire a wonderful degree of animation, while he converses. He stoops considerably, and inclines his head almost constantly to one side. His tone of voice is the clearest and most agreeable in conversation I ever heard. He speaks a great deal; yet those who hear him regret he does not speak a great deal more. His observations are always lively, very often just; and few men possess the talent of repartee in greater perfection. He hardly ever varies his dress, which consists of a blue coat, lined and faced with red, and a yellow waistcoat and breeches. He always wears boots with hussar tops, which fall in wrinkles about his ankles, and are oftener of a dark brown than a black colour. His hat would be thought extravagantly large in England, though it is of the size commonly used by the Prussian officers of cavalry. He generally wears one of the large side corners over his forehead and eyes, and the front cock on one side. He wears his hair cued behind, and dressed with a single buckle on each side. From their being very carelessly put up, and unequally powdered, we may naturally conclude, that the *friseur* has been greatly hurried in the execution of his office. He uses a very large gold snuff box, the lid ornamented with diamonds, and takes an immoderate quantity of Spanish snuff, the marks of which very often appear on his waistcoat and breeches. These are also liable to be soiled by the paws of two or three Italian greyhounds, which he often caresses.’ ”

In the beginning of the year 1785, the health of Frederic began to give way. His chief complaint was gout, and as he refused to submit to the regimen prescribed by the physicians, and persisted in indulging himself with his accustomed heedlessness, in the pleasures of the table, he grew constantly worse. He became dropsical, and suffered intensely, but still continued with wonderful fortitude to discharge the duties of his station in the most punctual and energetic manner. At length, on the 17th of August, 1786, he expired, in the seventy-fifth year of his age, and the forty-sixth of his reign, presenting as impressive an instance

as ever was offered of the force of Massillon's sublime reflection on the death of Louis XIV.:—"Dieu seul est grand, et dans ces derniers moments sur-tout où il préside à la mort des rois de la terre; plus leur gloire et leur puissance ont éclaté, plus, en s'évanouissant alors, elles rendent hommage à sa grandeur suprême; Dieu paroît tout ce qu'il est, et l'homme n'est plus rien de tout ce qu'il croyoit être."

ART. IV.—THE TARIFF QUESTION.

1. *New-York Tariff Address*.—2. *Free Trade Memorial and Supplement*.—3. *Debate in the Senate on Clay's Resolutions*. Washington: 1832.

THERE is no subject which for years past has so greatly agitated the public mind, as the *Tariff*, and none in which the destinies of our country are more deeply involved. An extraordinary event in the history of nations, is near at hand. The payment of our national debt will soon take place, and with it ought to cease those exorbitant duties on imports which have hitherto found some slight justification in the existence of a debt, and the necessity for its liquidation.

The two great parties have, for some time past, been arraying and marshalling their forces, and the present session of Congress has been looked to by all as the time when some definitive action would take place, which would fix permanently the policy of the government. Meantime, the press has been groaning under essays, pamphlets, reports, memorials, expositions, &c., which have been produced on this most important and engrossing subject. Two conventions have met during the past year; the Free Trade and the Tariff convention—the former, perhaps, the ablest body which has met in this country since the adoption of the Constitution; and the latter, respectable for both numbers and talents. From these two conventions, our political world has been inundated with both theory and statistics. These have been followed up by the debate in the Senate of the United States, upon Mr. Clay's resolution, which has called forth the finest talents of that able body.

There has been thus a vast deal of valuable matter laid before the public, but in so diffused and disjointed a form as to render it in a great measure inaccessible to the mass of readers; we propose, therefore, in the present article, to give a brief, but comprehensive view of the whole subject, without which, its vast

and overwhelming importance cannot be properly estimated. In taking this view, we shall notice the several productions above mentioned, as they may respectively bear on the various points falling under consideration.

The following order will be pursued.

1st. The general argument in favour of free trade will be briefly stated.

2d. The favourite argument of the Restrictionists will be examined, and shown to be unfounded.

3d. The operation of restrictive laws will be pointed out, and shown to be sectional, especially in extensive countries like the United States, embracing so great a diversity of interests.

1. *General argument in favour of free trade.*—To attain the happiness of which our nature is susceptible, and to ward off the evils with which a mysterious Providence has surrounded us, are the great objects of every rational being in his progress through life.—“Pleasure and pain are our sovereign masters”—our great law-givers; from these spring all our numerous wants, for the gratification of which we use our labour, our skill, and our capital. It is the intensity of our wants, and the difficulty of production, which constitute the source of all exchangeable value, by giving rise to consumption.

It is evident, that if the hand of Providence had thrown around us, in illimitable abundance, the means of gratification, so that we could walk abroad, and take at pleasure, from the store-house of nature, whatever our wants required, then there would have been no exchangeable value—no barter—no commerce. But these means are limited in quantity, and require the labour of man for their perfection; hence the origin of value and of exchanges.

The governments of antiquity used frequently, in their zeal for action, to endeavour to counteract the operation of some natural wants, and prevent the growth of artificial ones—but governments of modern times, and especially of our own country, have wisely left these, (except in few cases, detrimental to the interests of society,) to individual control, and have abstained from all attempts at regulating or suppressing them, as unjust, and hostile to individual liberty and security.

It is not necessary then, in this exposition, to discuss the nature of our wants, with a view to determine which are proper and commendable, and which censurable. No freeman in this civilized age, will submit to dictation from government in this respect. Without paying any attention then to the propriety or impropriety of our wants, without attempting to ascertain their relative importance, we will proceed at once to a consideration of the *means* for their gratification, and the laws by which their pro-

duction is regulated, with a view to ascertain the advantages of freedom of trade.

When we cast a glance at the complex condition of our species, and reflect that our wants are various and almost infinite, we are apt to feel a lack of confidence in the undirected and unassisted energies of man, and to become apprehensive lest some of our wants may go unsupplied. Now let us inquire, under what circumstances this supply is apt to be most abundant, and the best adapted to our wants? Surely, when each man is left to pursue the dictates of his own self-interest, in production and consumption. If government attempt to regulate these matters, it is apt to fail entirely in its object; or it oppresses and does mischief from ignorance of individual concerns, from partiality or *vice*. The individual knows best his capacity, his inclination, his skill, and his means of success, and consequently he needs not the guardian care of government. In general, too, the government attempting to organize and direct the labour of the country, violates the rights of its citizens; for surely there is no privilege—no right more dear than that which each individual has in the direction of his own labour and capital. If a decree were to emanate from the government, which, like the laws of Egypt, should force every man to follow the trade of his father, its injustice and impolicy would excite the indignation of all, and yet laws for prohibition and protection have a similar bearing.

But how do we know that individual interest will prompt to the production of all those various commodities of which we stand in need? We know it, because we know that the value of every commodity throughout the whole range of production depends on its peculiar adaptation to the supply of some one of our wants—that if deficient in quantity, it will rise in exchangeable value, and then the interest of man will prompt him to turn his labour and capital to its production, until its supply be adequate to the demand, and thus it is that the argus eyes of self-interest are ever exploring all the numerous channels of industry, and presiding over the movement of capital and labour. And although there may be a few reckless, dissipated individuals, in all societies, who listen not to its dictates, yet the history of all mankind conclusively shows that the great majority are governed by their interest—that the desire to accumulate, far overbalances the disposition to squander, and that from the reign of the patriarchs down to the present time, it has been the blunders, the follies, and the vices of government, which have overturned empires, and not the dissipation and mismanagement of individuals.—What then are we to think of the following assertion, gravely put forth by a Senator of the United States? “It is now well understood, that the great secret of national wealth in any country,

consists in finding profitable employment for all the citizens and subjects of such country who are willing to labour.”* Such an assertion as this, mistakes completely the end of government, and if practised upon, would lead to the most pernicious consequences.

If then, each individual can best pursue his own interest when let alone, it necessarily follows, that freedom of commerce is for the public advantage. The whole must ever be what the parts are—national wealth can only be the aggregate of individual wealth.

Axiomatic as this truth appears to be, it has however been objected to, upon the grounds that the interest of the nation, or rather, of the government, may be opposed to that of individuals, and that the latter must yield.—We deem it sufficient to answer, that this objection is despotic in principle, and subversive of all true liberty—the welfare of the people should ever be the *polar star* of the statesman. In the appropriate language of the Virginia bill of rights; “all power is vested in, and consequently derived from the people—Magistrates are their trustees and servants, and at all times amenable to them; and government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community.”

Away then with the false and despotic doctrine of opposition of interest between the government and the people, and the necessity for acquiescence on the part of the latter. An Autocrat of Russia, or a Sultan of Constantinople, who may look on his empire as a patrimonial possession, may entertain such notions as these, but they suit not a land of liberty like ours.

So far we have placed the general argument for free trade, on politico-economical grounds alone. We cannot, however, conclude this branch of our subject, without adverting to the moral influence of this system on the world at large.

Throughout the whole human family, we witness the utmost dependence among all its members, from infancy to manhood. All the faculties and desires of man, announce him to be a creature of relation and dependence; and the physical incapacity of each one, when unassisted, to procure for himself all the necessities and comforts of life, further proves this fact.—Again, if we look to the different capacities and adaptations of different soils and climates, and witness the different characters and energies of the population spread over them, we see in these differences, a manifestation of the designs of Providence; we are led at once to the origin of commerce, and the striking advantages of free trade are unfolded to our view.

* Governor Dickinson's Speech on Mr. Clay's resolutions.

"*Hic segetes, illic veniunt felicius uvæ ;
Arborci fetus alibi, at que injussa virescunt
Gramina,*" &c.

"*Continuo has leges æterna que federa certis
Imposuit natura locis.*"

The first moral advantage flowing from this mutual intercourse and freedom of commerce among nations, so clearly recommended by nature's works, is the tendency which it has to check commercial jealousies and rivalries, and the wars and bloodshed consequent on them.

It is impossible for us to look over the page of history, and contemplate the condition of mankind through past ages, without feelings of shame and horror at the blood-stained scene. We are almost disposed to yield to the gloomy doctrine of Hobbes, that man is pugnacious, and war is his natural state ; for we find the annals of man to be little else than a record of wars, massacres, sieges, and conquests.

A large proportion of these wars which have desolated the earth, especially in modern times, have arisen from commercial jealousies and monopolies.—They have been frequently waged for distant territories, valuable only for purposes of commerce. Freedom of trade is calculated to cut off at once this fruitful source of war—to create a mutual dependence and sympathy among nations—to produce a unity of interest among them, and thereby to bind them together in harmony and concord. The doctrine of free trade is the doctrine of Christianity and of an enlightened philanthropy. One of the wisest men of the last century, under the unfortunate delusion of the doctrines of the restrictive system, exclaimed, "such is the lot of humanity, that the patriotic desire for one's country's grandeur, is but the wish for the humiliation of one's neighbours;" that "it is clearly impossible for one country to gain except by the loss of another," and could we expect peace and concord among nations, if each was a convert to this gloomy and misanthropic doctrine; would not the stern mandate of patriotism to each one be, hate thy neighbour as thou lovest thyself, instead of the Christian commandment? In the emphatic language of the Senator from South Carolina, who has stood forth upon several great occasions the champion of the south, sustaining her rights and her interests, with an ability and a zeal which have commanded the admiration of both friends and opponents, we may truly say—"the restrictive policy is founded on the triumph of the selfish principle. It assumes that the natural position of nations towards each other, is one of enmity and rivalry, founded on a supposed opposition of interests. The doctrine of the old school was that what was gained by one nation, was necessarily lost by another."*

* General Hayne's Speech on Clay's Resolutions.

Upon the free trade principle, the interests of nations are interwoven—the prosperity of one is conducive to that of another. No commercial nation, not even a great commercial city could be blotted from the world, without making every other feel and lament the void. No quarrel could arise between two hostile parties, but the kind mediation of others would be offered, to terminate the difference and restore harmony. Free trade makes it the interest of all nations to agree, and it lessens the occasions of wars. Thus *peace* is truly the natural state of the world when governed by this system.

We will now conclude this branch of our subject, by an allusion to the tendency of free trade to diffuse civilization and Christianity over the world. Few have been the nations which have arisen to power, wealth, and civilization, alone and unaided by others. Let us look to the history of the world, and we find almost constantly, that commerce has been the parent of civilization—the merchant, in pursuance of his interest, has truly been the civilizer of the world. Pure philanthropy and benevolence have done comparatively nothing, and even the partial good which has been achieved, has been effected through the instrumentality of commerce.

Look to Greece and Rome, and you find them indebted to foreign nations for their civilization. Look to the nations of modern times, which have taken the lead in wealth and civilization, and you find that they were indebted to commerce for their advancement.—Venice, Genoa, Pisa, Florence, Amalfi, Flanders, the Hanse towns, and Holland, all owed their prosperity to commerce. It was commerce which sent forth the Spaniard and the Portuguese on those voyages which perfected the geography of the world. It was the golden vision of the trade to India, that gave rise to the sublime enterprise of Columbus, and led to the discovery of a new world. And if we should here be challenged by our opponents, to produce some instances of the advantages of free trade, we answer boldly, that in a survey of the history of nations, we ever find those most prosperous and civilized, whose commerce was most unshackled. “A port on a small barren island, where every vessel is welcomed, where every seller is at liberty to sell, and every buyer to buy, has more attractions than the harbour of the largest empires, when set round with custom-houses and prohibitions. It was free trade that reared the splendours of Tyre upon a miserable islet—that raised the glories of Palmyra in the midst of the sandy desert—that built the marble palaces and churches of Venice on the shoals which scarcely rise above the surface of the Adriatic—that fixed wealth and letters on the frowning rock of Amalfi—and that so overfilled the unwholesome marshes of Holland, with riches and

habitants, that the latter built their fine cities on piles, and en-
 riched on the domain of the ocean.”*

“Switzerland is one of the European countries to which the
 restrictive system has not extended, and is, nevertheless, that
 rich, in proportion to her population, is next to England, the
 most manufacturing country in Europe.”—Exposed like her, to
 the same revulsions and to periods of distress, when the channels
 of superabundant manufactured products are obstructed, Switzer-
 land, unprotected by any duties whatever on foreign merchan-
 dize, beside certain branches belonging particularly to her, rivals
 England in the cotton, and France in the silk manufactures.†
 We will not pursue further, the *general argument* in favour
 of free trade, but proceed at once to the second branch of our
 subject, where we shall have frequent opportunities of illustrating
 more fully.

1. Examination of some of the arguments most relied on by Restrictionists.

Under this head, we will at once notice the argument which
 seems to be most popular—one which has perhaps induced more
 persons to embrace the principles of the American system than
 any other. *That the free trade system would be most advan-
 tageous to the whole world and to each nation, if all would
 adopt it; but when one nation deviates, and commences the
 system of restriction, others must follow the example—that when
 our products are excluded from, or burdened with heavy du-
 ties in foreign ports, our self protecting energies must be call-
 ed into action to ward off the blow, thus aimed at our pros-
 perity.* This is an argument of the utmost importance, because it
 rests on premises which all must admit, and because we think
 may be shown, with almost the undeniable conclusiveness of
 demonstration, that those very premises are at war with the con-
 sension of the restrictionists—Why are the restrictionists obliged
 to admit that universal free trade would be advantageous to the
 whole world? Because if they deny this, there is no limitation
 which can be given to the reasoning—for if free trade between
 nations is not advantageous, it may not be so among large sections
 of the same country—it might not be so among different coun-
 tries, and even among individuals. This would indeed be a start-
 ling conclusion; one that would fix a custom-house on the bank
 of every river, and on every county line—one, in fine, which
 would make man a solitary wanderer on the earth. We all agree
 that universal freedom of commerce is for the good of all.
 Now let us ask, why is universal free trade advantageous? There
 is no answer, and but *one alone*, which can be given to this

question. We challenge the production of another. Different countries, and different sections of the same country, have different physical and moral adaptations and capabilities; each flourishes to the greatest extent when left to the exclusive pursuit of those occupations and trades best befitting its climate, soil, and the character of its inhabitants. Universal free trade produces this result. Under this system the surplus of each is exchanged for the surplus of others, and thus each enjoys the greatest possible amount of the necessaries and conveniences of life. If a nation then, by unwise laws, intercepts this general freedom of trade, it will still be better, on precisely the same principles, that all the rest should enjoy as much commerce as possible, by making the nearest approaches to free trade.—If the whole be a blessing, its parts must be, and if a part be taken from us, it is the reason why the remainder should be cast away likewise. Now we wish to be perfectly understood on this point, and will therefore illustrate by an example. Let us suppose the relative adaptations and capacities of England and America to be such, that the former can manufacture woollen goods, and with these obtain from the United States, double the quantity of raw cotton, than she could raise with the same labour at home; and that directly the reverse is the case with the latter; by raising cotton, the United States can procure twice as many woollens as could be produced at home with the same labour directly employed in these productions. Now all will readily acknowledge the advantage of perfect freedom of trade between these two countries in those commodities. In what consists the advantages of this trade there is but one answer. Each, through the medium of commerce, obtains the commodity it does not directly produce, at 25 per cent. cheaper than it would be raised at home. Now if one of these countries, say England, commences the war of restriction, and imposes such duties on our cottons, that the same amount will only purchase woollens which would require one and a half times the labour to produce them directly, must the trade be abandoned because of the unwise policy of England? surely not—we still get our woollens 25 per cent. cheaper than we can produce them at home, and consequently, it is our interest to keep up this trade for precisely the same reason as when the trade was free on both sides. Suppose England should push her system still further, and lay duties which would make woollens 15 per cent. dearer; still would it be to our interest to trade with her, and that for the same reason, as when the trade was free on both sides. Suppose she goes still further, and raises the duties so high, as to make the woollens come 50 per cent. dearer; it would be matter of indifference, whether we produced them directly, or purchased them with cottons; push the duties beyond this, and immediately we should begin to manufacture, and the

and legislation of Great Britain would effectually stimulate manufactures, and no countervailing legislation would be required on our part.

So far we have been supposing the trade between two countries carried on by an exchange of the two commodities above named; but let us suppose that with cotton we get our woollens 25 per cent. cheaper; with tobacco 25, and by wheat 15 per cent. cheaper than we could produce directly; then the British, by 25 per cent. duty on cotton, would encourage our tobacco; by duties of 35 per cent. on cotton, and by 10 on tobacco, they would encourage our wheat growers; and by 50 per cent. on cotton, 25 on tobacco, and 15 on wheat, they would set us to manufacturing effectually as any regulation on the part of our government could do it; provided no other commodities but these could be sent abroad, and England were our only market. But let us suppose England should refuse all our native products; then if we could not send our cotton to France and get silks, and with these silks get woollens 50, 25, 15, or even 1 per cent. cheaper than we could produce them at home, better get our woollens in this indirect way, than manufacture them for ourselves, and this for precisely the same reason that universal free trade is best.

Again, let us suppose she refuses every commodity except gold and silver. Now if we can send our cotton, tobacco, &c. to any other nation on the globe, and procure the metals, and with these buy English woollens cheaper, all expenses told, than we could manufacture, then this trade should be carried on for precisely the same reason that we admit universal free trade to be advantageous to all nations.

But, say the restrictionists, foreign nations may, by refusing to take our native commodities, drain us of our specie, and thus produce the worst consequences; and this leads me to say a few words on the old exploded *mercantile theory*, begotten in ignorance, and continued through prejudice and selfishness.—*That money constitutes the wealth of society—hence the necessity of making laws and regulations to increase its amount—taxes burthens on importations and encouragement on exportations seem calculated to produce this result, and are therefore recommended on the principles of this system.* To this we answer, first—that the premises are entirely fallacious, money constitutes but a small portion of the wealth of society, and there is nothing in the nature and functions of the metals which entitles them to the especial guardianship of government. There are two ways in which they may be used, for manufactures and as a circulating medium. In the former capacity they are surpassed in point of relative utility, by many commodities which the government thinks of accumulating. In the latter capacity it matters very little whether they be scarce or dear throughout

the world, and if in any particular nation they accumulate beyond the demand of the country, they depreciate in value, and therefore the redundant portion is an unproductive capital, and if there is no impediment, will and ought to seek a foreign market. If on the contrary, their quantity should not be adequate to the functions of circulation, their value would rise, and if the rise were 5 per cent., all experience has proved that no regulations on the part of other nations will prevent their influx. There are no commodities more subject to the great laws of trade than the precious metals, none whose value is more nearly equalized over the world, and whose accumulation in the state requires less attention from the statesman.

This much being premised about the nature and functions of the metals, it is easy to answer all those arguments of the strictionists based on the assertion *that certain nations refuse most if not all of our native commodities, and consequently with these, we should cease to trade, because the trade can only be supported by an exportation of the precious metals.* We have shown above, that if a particular nation, say England, refused to take any thing but gold and silver, and by our native commodities we can procure these from other countries, and with them obtain more manufactures than we could produce at home directly, then is this indirect trade beneficial, for precisely the same reason that universal free trade is! But suppose all nations should refuse to take our commodities—then it is evident that we could not import, for we should thereby be drained of a portion of our specie, and the remainder would so speedily rise in value, as to prevent its efflux, and thus would the prohibitory laws of other nations, as effectually prevent the ingress of foreign commodities and the efflux of our specie, as if we had put in requisition all the resources of legislative enactment.

So appropriate an application may be readily made of these principles to the Corn Laws of England, that we cannot forbear the application even in this general exposition. *It is said Great Britain will take only our cotton, tobacco, and rice, and consequently, we ought to refuse her manufactures, unless she will consent to take all our staples.* Now granting the premises asserted in this argument, the conclusion does not follow. It does not follow that it is expedient for us to refuse her manufactures; on the contrary, we should admit them *still*, and *precisely* for the same reason we would admit them, when trade was perfectly free. Thus, when there is perfect freedom, the United States, we will suppose, get manufactures from Great Britain, by reason of all their agricultural staples, including corn, wheat, tobacco, rice, cotton, &c., 50 per cent. cheaper than they can be directly produced in this country. But Great Britain closes her ports against the two former, and the consequence:

we get our manufactures by the three latter, only 25 per cent. cheaper than we can raise them at home. Now can any man assert the advantage of the free trade between the two countries, and not acknowledge the advantage of the trade, when partially restricted? the principle is precisely the same, the only difference is in the degree of benefit. But again it may be most justly answered, "that the state which suffers most from the restrictions of foreign nations on its products, asks for no special protection. Virginia is a great wheat-growing, and the first tobacco-growing state. The foreign restrictions operate in a far greater degree on tobacco, than on any other articles, without excepting bread stuffs; there can be no doubt that the consumption of tobacco in France and England would be double or treble of what it now is, was a free trade in that article, with moderate duties, consistent with their policy."* Now surely, if Virginia, the state most injured by the restrictive policy of other nations, does not call for retaliatory measures, there can be no reason why others should.

But, say the restrictionists, *England, by admitting only a few of our staples, benefits one portion of our country alone, and consequently, this partial operation of her policy should be counteracted by our government.* To this we answer, that each nation has the *perfect* right to regulate its own commerce; that if an advantage thereby shall incidentally accrue to a portion of a foreign country, the residue of the country have no right to complain, or to deprive the favoured portion of its advantage. But it is not true, that England, by receiving our cotton, rice, tobacco, and lumber, favours the south, and injures the north and west; on the contrary, all are benefited. "In consequence of the market furnished by Great Britain for these articles, the northern and middle states devote themselves more exclusively to the raising of them, and neglect the culture of corn and wheat, to which their lands are better adapted than the northern lands, and thus they either furnish a market for the corn-growing states, or at any rate, do not compete with them as much as they otherwise would do. In this way do we find the various branches of trade and business ever linked together in all their various ramifications. Let us suppose for a moment that Great Britain furnished no market for our cotton, rice, and tobacco. South Carolina, Georgia, Alabama, Louisiana, &c., would raise corn, wheat, hogs, and cattle; they would now compete with the northern and western states. The middle states would stop the cultivation of tobacco, and produce more corn, wheat, hogs, mules, &c., and thus with the stopping of our foreign trade so erroneously supposed hostile to certain of our great interests, would in a measure cease the trade between the western, middle, and southern states.

* Free Trade Memorial, p. 24.

We would no longer see those immense droves of hogs, horses, mules, &c., coming from the west and disappearing in the great market of the east and the south.”* Paradoxical as it may appear, it is nevertheless true, that the trade between England and our Atlantic states is in fact the cause of the trade between the latter and the western states. How strong an argument is this, addressed to the interest of the west, against joining in any combination which may by possibility produce a loss or even contraction of the foreign market for any of the great staples of the south!

Thus we hope it has been conclusively shown, that an admission by our adversaries of the advantages of universal free trade, must necessarily proceed upon principles, which equally prove the impolicy of restrictive measures adopted under the pretext of retaliation. The committee who drafted the New-York tariff address, seem to have been aware of the conclusion which inevitably flows from the admission of the advantage of universal free trade, and they saw the necessity of fixing some limits to their reasoning; accordingly, they adopted a middle course, which is equally at war with philosophy and common sense. They say—“as a municipal principle, there is no question of the great advantages of free trade. The United States, in their coasting trade and domestic exchanges, afford the most striking illustration of them ever witnessed—but as between foreign nations there is no free trade—there never was—there never can be. It would contravene the arrangements of Providence, which distribute mankind into different communities, separated originally by confusion of tongues, and prevented from all rushing together into the most favoured latitudes, by local attachments, and foreign antipathies, which are the gems of national preservation, by means of national emulation.” Now we assert there is not the slightest foundation for the distinction which is here attempted to be established. We defy any logician to give any reason for free trade among the several states of our Union, which would not equally apply to free trade among all the nations of the earth. We have all the variety of climate, and difference of soil, which are to be found in Europe, and at some future day, too, these states may contain a population equal to that of all Europe, and how, let us ask, can perfect free trade be advantageous in the American system, and not in the European. The acknowledgment of the benefits of free trade in our system, therefore, must necessarily amount to a recognition of the advantages over the whole world if all nations would adopt it, and with this single admission on the part of our opponents, we have endeavoured to demonstrate the impolicy of the whole restrictive system.

* See Dew's Lectures. Lect. 5, page 83.

The next argument which we shall notice as being much relied on, is, *that although the establishment of domestic manufactures may be a present evil to the country in consequence of the rise in price, yet so soon as they are well established, domestic competition will be sure to bring down the price to a minimum, and the commodities will become permanently cheaper than before.* To this I would in the first place answer, that even supposing the argument to be based on correct premises, it yet admits the present generation to be burthened for the benefit of posterity, a course of policy very questionable, and to be always avoided, except where the remote good effects are great and undeniable. But in these cases, upon whose evidence do you rely, or can you rely, but on that of the manufacturers themselves, persons more than all others interested in deceiving you. "Persons whose evidence," says the able and erudite president of South Carolina college, "would be rejected in any court of justice, as unworthy of credit, owing to the strong bias of self-interest under which it is given." We will here introduce an anecdote, from the interesting speech of Mr. Tyler, which occurred in the committee of finance. "When we came to the article of negro clothing," says he, "the venerable chairman, Mr. Smith, proposed a reduction of the duty to 25 per cent. ad valorem. I inquired whether any negro clothing was manufactured in the United States, and was answered that nothing specifically such was made; I urged then a total abolition of the duty, represented that it would be kindly taken by the south, and would go far to produce harmony. I was answered by the senator from New-York, (Mr. Marcy) that there was a manufacturer in the city of New-York, with whom he had conversed on that subject, and from him he had learnt that he *was about* to manufacture something out of coarse cotton to answer the purpose, and that he had samples of the intended manufacture with him. I desired that they might be shown to me. And here they are sir; I desire the senators to examine for themselves, and to say whether this mere holiday stuff, not fit even to be worn on a holiday, in the month of November, would be accepted by them as a substitute for the close, thick, warm article which was formerly imported, and in which the labourers of the south were formerly clothed.—I say formerly, for the importation has ceased because of the high duty system. The landholder of the south is subjected to the necessity of procuring any thing he can pick up, in order to clothe his slaves; and now we are to be put off with this miserable substitute to some distant day, when this *about to be* manufactured article shall *come to be* manufactured. Sir, said Mr. Tyler, I am not choleric or rash, but I confess I experience none of the most quiet and peaceable sensations, when I am told that we are to be denied the abolition of a duty on a necessary article, becau

some man in New-York may have taken it into his head to speculate on our necessities.”*

We totally deny, however, the premises assumed by those who look forward to a speedy and permanent cheapening of the commodity from domestic consumption, and that, because we know the price of manufactures to be dependant on causes which cannot be speedily and favourably effected by legislative enactment. The price of every manufacture depends upon—first, the price of the raw material; secondly, the wages paid the labourer; and thirdly, the profits accruing to the capitalist. This is an axiom of undeniable truth. Now, each one of those ingredients of value will be found, on reflection, to be but slowly and gradually affected by the progress of society; the raw material will perhaps be generally cheaper in a new, fertile, and sparsely populated country, though there are many exceptions; and it will gradually grow dearer and dearer, in proportion to the progress of society and the cultivation of poor lands, or the extension of cultivation on the same, with diminished returns. Wages and profits depend on the density of population and the accumulation of capital, in proportion to the demand for labour and the channels of profitable investment. Both of these are generally highest in new countries with a sparse population and fertile soil, and are slowly lowered as population advances and capital accumulates. Now it will be found, that wages and profits constitute, in most manufactured articles, much the largest portion of the price; so that one nation may frequently manufacture cheaper than another, even if that other should obtain the raw material for nothing. We are now prepared to say to what point, and to what point alone, domestic competition will bring down the price of the manufacture *permanently*. It can only be to that point which will pay the price of the raw material, wages, and profits at their average or natural rates. Let us suppose, e. g. that the difference between the cost of producing a given article, say a yard of cloth, is 50 per cent. less in Great Britain than here, with even the cost of freight, &c., added; then if you lay a duty of 100 per cent. on the article, throwing out of view the operations of the smuggler, domestic competition might keep it from rising permanently more than 50 per cent.; but beyond this it could not act, because the manufacture would be unprofitable, and no competition will cause the continuance of a losing business in society. He then who trusts to domestic competition to bring down the price of manufactures below the point above designated, will ever be disappointed.

“Rusticus expectat, dum defluat amnis
At ille labitur, et labetur.”

* Tyler's Speech in the Senate on Clay's Resolutions, page 23.

“When, then,” (let us ask again, in the language of the senator from Virginia, who has so ably and eloquently sustained the reputation of the old dominion, in the late debate in the senate,) “will the anticipations of the friends of the tariff be realized, and an equality of price be established between the fabrics of this country and foreign fabrics? The answer must be, when we shall have obtained a maximum of population equal to that of England. Then, and then only, will this end be brought about. Run the contrast, Mr. President, between the two countries. Go with me to the map of this Union and its territories, and tell me when, in the current of time, our population will become as dense as that of England—when shall our countless wildernesses be threaded? The tide of population has not yet reached the foot of the Rocky Mountains; and when shall arrive the time when it shall overcome those mountains, and flow to the shores of the mighty Pacific? Here is spread out before us a region capable of containing a population of 200,000,000 of souls, at which distant and unascertainable day, labour will be reduced to the necessity of taking the wages which it now breathes on in Europe.”*

Our own system has well demonstrated the soundness of the above reasoning. A protective system has been virtually in operation since 1807, and during the whole of this time, the manufacturers have been crying out for help, for protection against the cheap goods of Europe; and there are scarcely any articles now manufactured in the country, upon which they are willing to allow a reduction of duties. How, then, we may well ask, with these facts before them, can the restrictionists persist in the unfounded and unphilosophical belief, that in a few years after the complete establishment of a manufacture, we may ex-

* Mr. Tyler's Speech, page 24. In the address of the New-York Tariff Convention, and in most of the essays and speeches which have appeared in favour of the restrictive system, great reliance seems to be placed on the celebrated report of Alexander Hamilton on manufactures. Now it seems to us perfectly clear, from an attentive perusal of that document, that Mr. H. was misled by not attending sufficiently to the elements of the cost of production, and the slowness with which they change in the progress of society. He was unwarily led to the conclusion, that the difference between the cost of producing manufactures here and elsewhere, must be very small; and consequently, that a light protective duty would be sufficient, with but little temporary pressure upon the various classes of society, to put our establishments on a footing of perfect equality with those abroad. Accordingly we find 7 and 10 per cent. among the highest protective duties recommended in the report. Mr. Hamilton would no doubt have been startled by duties ranging from 25 to 200 per cent. We think it then perfectly fair to conclude, that he could never have been a restrictionist of the modern school; and that were he alive now, and to see the ruinous and iniquitous extent to which the system has actually been pushed in our country, he would acknowledge his error, in regard to the amount of sacrifice necessary for protection, and that he would no doubt be amongst the ablest and most decisive friends of free trade—and this we infer from the report itself.

pect to see it cheaper here than abroad? There are two reasons which may be urged for a continuance of the duties, say they, even when we can produce as cheap as foreigners. 1st. *That the abundance of foreign capital may crush our infant establishments, and then the price of foreign manufactures will rise;* and 2d. *That there is a prejudice existing against the domestic fabric, which has been estimated as high as 25 per cent.*

Now this overthrow of our manufactures, by the superior capital of foreigners, must either be intentional or not. If intentional, it must either be by concert among all the manufacturers, or by individual sacrifice. A concert among all the manufacturers of Europe could not possibly take place. No one who knows any thing of trade will assert this. The injury could not arise from individual sacrifice, voluntarily made, for what manufacturer would be so perfectly *silly* as to attempt to break down American manufactures by his own ruin; an act of this kind would be as foolish, as if a landlord of England should give up his whole estate towards the payment of the national debt, with the hope of being relieved from taxes the remainder of his life.

If then our establishments are likely to be crushed, it must arise from the fluctuations of commerce, and be unintentional on the part of foreign manufacturers. Is it right, is it just, let us ask, to defend any classes of society, at the expense of others, from these occasional fluctuations of commerce? Are not all the trades of society liable to this fluctuation, and might they not all claim, with equal propriety, this interference of the government?

But it is said manufactures will rise so soon as our establishments are broken down. This assertion goes upon the supposition, that competition with our manufacturers regulates the price of foreign goods. This is not the case. If manufacturing profits in Europe rise beyond the ordinary level of profits, new capital and labour would soon seek an employment so advantageous, and thus the profits would be reduced. And this would be the surest guarantee which we could possibly have against any permanent rise in manufactures.

But these fluctuations are generally occasioned by a belief that government is about to meddle with the external commerce of the country; and thus are the merchants frequently disposed, in the spirit of speculation, to import more goods than the country requires. It is the system of protection itself which produces the very evil complained of.

Let us now examine the second reason, *that there is a prejudice against the domestic fabric.* If such predilection for the foreign fabric do exist, is it not probable there is some reason for it? And who, let us ask, should be allowed to judge in these matters, but the consumer himself? And besides all this, may

not the foreign cloths be so well imitated by our manufacturers, as to escape the scrutiny of ninety-nine hundredths of the purchasers?

But the advocates of protection say, *the fact is certain, goods of all descriptions have fallen since 1816*. And so we are ready to admit; but we can assign ample cause for the fall—causes which would have produced much greater reduction of prices, but for the tariff. The mines of South America have, for the last ten or fifteen years, produced a diminished supply of the precious metals; this has caused a general appreciation of the circulating medium throughout the world, and of course a reduction of prices. An unsound and redundant currency has been converted into a sound one, adapted to the exigencies of our country; hence the appreciation of the metals still further in the United States. The raw material has grown cheaper, wages of labour and profits of capital have fallen, and lastly, the introduction and immense improvement of labour-saving machinery, have contributed still more powerfully to lower prices.* These are the causes, and not the tariff. Has not the fall in manufactures been general throughout the world? and surely our tariff cannot have produced this effect. Have not all kinds of property fallen in this country? Lands, houses, negroes, &c.; and will the tariffites say, that the fall here was occasioned by the tariff? This, however, they may say, with infinitely more truth, than that the fall in manufactures was caused by it. For we find, on inquiry, that the fall in manufactures here, has not corresponded with the fall abroad.

To account for this universal fall in the price of manufactures, has been extremely puzzling to the restrictionists. For some time they endeavoured to shut their eyes against it, and look to the home markets alone, but “truth is mighty and will prevail.” The fact has been unequivocally and unanswerably proven. All now admit the universal fall in prices. It was distinctly acknowledged by the leading tariff men in the Senate during the late debate, and by none more unequivocally than by Mr. Clay. It has consequently become necessary to explain it upon their principles,

* We shall pass over here the argument in favour of protection, based on the supposed advantages arising from the use of labour-saving machinery, with the remark, that machinery is capital, that it varies not in the least the rule we have laid down above for judging of the price of manufactures, that all the elements of nature which are pressed into the service of man, such as air, water, steam, &c., perform their work gratuitously, and consequently they operate powerfully in the reduction of prices, benefiting thereby the consumer, and not the producer, as has been erroneously imagined. It is silly to suppose that Great Britain, for example, because she employs wind, water, and steam power, equal to that of one or two hundred million men, charges for this labour; it is not so; such labour is gratuitous. (For a full elucidation of this subject, see Dew's Lectures, p. 106.)

and accordingly they have attempted it, and we hesitate not to pronounce the explanation one of the most clumsy and unscientific efforts which we have ever witnessed from men of such high and acknowledged reputation.

We shall proceed then at once to state the explanation, and demonstrate its fallacy, which we hope to make evident to every man acquainted with the first principles of political economy; and lest we may be accused of misstatement, we will take it from the mouth of the most distinguished champion of the tariff who has yet spoken in the Senate. "This brings me," says Mr. Clay, "to consider what I apprehend to have been the most efficient of all the causes in the reduction of the prices of manufactured articles—and that is *competition*. By competition, the total amount of the supply is increased, and by increase of the supply, a competition in the sale ensues, and this enables the consumer to buy at lower rates; of all human powers operating on the affairs of mankind, none is greater than that of competition. It is action—and reaction. It operates between individuals in the same nation, and between different nations. It resembles the meeting of the mountain torrent, growing by its own precipitous motion, its own channel, and ocean's tide; unopposed, it sweeps every thing before it; but counterpoised, the waters become calm, safe, and regular. It is like the segments of a circle or arch taken separately—each is nothing; but in their combination they produce efficiency, symmetry, and perfection. By the American system this vast power has been excited in America, and brought to bear, and brought into being, to act in co-operation or collision with European industry. Europe acts within itself and with America, and America acts within itself and with Europe; the consequence is the reduction of prices in both hemispheres, nor is it fair to argue from the reduction of prices in Europe, to her own presumed skill and labour, exclusively. We affect her prices and she affects ours."

Again, "the great law of *price* is determined by supply and demand; whatever affects either, affects the price; if the supply is increased, the demand remaining the same, the price declines; if the demand is increased, the supply remaining the same, the price advances; if both supply and demand are undiminished, the price is stationary, and the price is influenced exactly in proportion to the degree of disturbance to the demand, or supply."

Mr. Clay evidently contends here that the American Tariff has reduced prices all over the world, and this has been effected by competition, which has been generated between the manufacturers of this country and all others, and that this competition has produced an over supply of manufactures, which, upon the principle

* Mr. Clay's second speech on his Resolutions, pp. 24, 25.

of supply and demand, has operated a universal reduction of prices. Let us then first examine into the character of this national competition, and then proceed to the consideration of its effects.

Upon the principles contained in the extract made from Mr. Clay's speech, it necessarily follows that prohibitive duties ought not to be laid on foreign manufactures, for then the system in our country would be like the "mountain torrent unopposed;" "sweeping every thing before it, foreign competition is necessary to form the counterpoise, when alone the waters become calm, safe, and regular;" accordingly, Mr. Clay, in his first speech, distinctly asserted that he did not wish the duties to be prohibitive, but only so high as to generate a competition between American and English manufactures. Now let us see what this salutary competition is; let us see whether an absurdity cannot be proven here, which overturns in the threshold the whole argument—Mr. Clay says we manufacture already as cheaply, and even more so, than the English. "I plant myself," says he, "upon this FACT, of cheapness and superiority, as upon impregnable ground." If then we grant his premises, we find his conclusions erroneous; we already manufacture as cheaply as England, but we must have high duties to sustain our manufactures, and yet not so high as to be prohibitive, lest the competition might be destroyed—was there ever a more juggling argument than this? one that more unphilosophically reconciled conflicting positions? Let us take an example for illustration; there is a certain kind of cotton goods made here as cheap as in Great Britain; a duty of forty per cent. is imposed on the like foreign fabric; it is very certain, under these circumstances, that every British cargo which comes into this country, paying forty per cent., must be sold at enormous sacrifice; for the profits of scarcely any business amount to forty per cent. But the probability is, that the foreigner will not send us goods at such sacrifice; then we ask what becomes of the "counterpoise?" what resists the "mountain torrent?" what renders the "waters calm, safe, and regular?" what, if we may be allowed to quit the region of metaphor, is to prevent the domestic manufacturer charging the whole forty per cent., by augmenting his prices? Certainly not the competition from abroad. What an absurdity is here involved! National competition is recommended—even considered as absolutely necessary—and yet you place one nation in such a condition that it can never sustain the competition without ruin to itself, if the grounds assumed be correct. How much more glaring becomes the absurdity when we make an application of the reasoning to those commodities which require protecting duties of from one to two hundred per cent. What would we think of the wisdom of a legislator, who, seeing that a certain commodity in our country was produced

almost exclusively by large capitalists, should seriously recommend the levying a duty of fifty or one hundred per cent. on the commodity, when produced by the large capitalists, with a view of setting the little ones to work; and when told that this would raise the price, should tell you that the law generates a salutary competition between the great and small capitalists, which did not before exist? And yet this case is precisely analogous to the reasoning of Mr. Clay, and the other tariffites who have followed suit.

We will now examine into the manner in which this *supposed* competition, generated by the American system, operates in diminishing prices all over the world. It is by increasing the supply. "The great law of price," says Mr. Clay, "is determined by supply and demand." We will suppose in the first place, for the sake of the argument, that Mr. Clay has given the proper explanation of the theory of prices, and that we have nothing to do but to look at the proportion of the *supply* to the *demand*; and we will further suppose (which is by no means the case) that all the manufactures raised by the *hot bed* of protection, are a clear superaddition to the aggregate of manufactures which would otherwise have existed; and with these admitted premises we shall be astonished to see how small a comparative addition has been made to the whole mass, and consequently how slight should be the fall from this source. We will exemplify this in the article of cotton goods. Mr. Lee of Boston, an able economist and statistician, computes the value of cotton goods produced in Great Britain and all Europe, at 400,000,000 dollars; our product is 30,000,000 dollars, and of this sum not more than 7,000,000 dollars can be considered the fruit of the protective system, which, supposing the whole a clear addition, only amounts to about one and a half per cent. of the aggregate. This small quantity, added to the general mass, would, on Mr. Clay's own premises, produce scarcely an appreciable effect. It would indeed be like the "mountain torrent" meeting "the ocean's tide;" it would be "counterpoised," its "waters would become calm, safe, and regular," and no eye could discern the augmentation of ocean's tide by this addition of the mountain stream.

The manufactures, however, raised up by high duties in this country, are not a superaddition to the mass that would have existed under a system of free trade. Our own country cannot, as we conceive, consume as many as would have been consumed under a free trade system, because of the high price; and consequently the whole mass of production will ultimately be lowered by at least the amount of diminished consumption, and thus, according to Mr. Clay's notions of supply and demand, the price ought to rise.

But Mr. Clay is greatly mistaken, if he supposes the *ratio of*

the supply to the demand to be the permanent regulator of price. In fact, there is no meaning whatever in the proposition which says the price is dependent on the ratio of the supply to the demand, if you throw the cost of production out of view. Beef is five cents per pound, mutton is seven. Now you cannot infer from this, that their quantities are inversely as their prices. The aggregate value of beef in the market is perhaps ten or twenty times that of mutton. Gold is little more than fifteen times as valuable as silver; you are not to infer from this, that there is fifteen times as much silver only in circulation—there is more than forty-five times as much. Cotton goods have fallen 50 per cent. in fifteen years; you cannot infer that there is only double quantity in use—there may be five times the quantity.

Again, look at the demand, and you will find *still*, there is no meaning in the proposition, considered independently of cost of production. There is just as much demand for gold as for silver, even more; it is more beautiful, more ductile, and perhaps superior to silver for most manufacturing purposes. Then, upon the principle of supply and demand, gold should be forty-five times as valuable; for let 1 represent the demand, and in the case of silver we will suppose the supply 1, then in the case of gold the supply would be one forty-fifth only, and yet their values are as 1 to 15. What now becomes of Mr. Clay's argument about supply and demand?

To return to Mr. Clay's law of price—the proportion of the supply to the demand. He has evidently taken this from the political economists whom he no doubt despises, and yet he has entirely misrepresented them. The proportion of the supply to the demand is a mere secondary law, entirely subsidiary to the *cost of production*. It has no definite, intelligible meaning, when considered a primary independent law; where considered in reference to cost of production, it then alone becomes intelligible. Gold is generally a little more than fifteen times more valuable than silver; the reason is, the cost of its production, upon an average, throughout the world, is fifteen times greater than that of silver. An extraordinary production at the gold mines might increase the quantity so much as to sink the value of the metal to only fourteen fold that of silver; there would be an oversupply according to the cost of production, and a consequent temporary reduction of value below that cost. This state of things would not last long; it could not, and ought not to be permanent, for the gold making business would be a losing one; perhaps in a short time, too great an abstraction of labour and capital from the business, might diminish the supply, and that might raise its value to seventeen fold that of silver. Here then the supply would be too small, according to the *efficient demand* at the cost

of production. This state of things would not last long, for gold digging would be a lucrative business, and would attract labour and capital until the quantity of metal should increase, and its value come down to the cost of production. And thus it is, that the cost of production is the point to which prices are always gravitating, and in which alone they can ever finally settle. The proportion of the supply to the demand, is the law which prevents prices from vacillating too far, either on the one side or the other of this point.

If we have ascertained, then, the real meaning of this law upon which Mr. Clay makes so much depend, it evidently follows, that manufactures can never be permanently reduced by it below the cost of production; and if they were, it would ruin the country producing them. Suppose then, our tariff really did lower, by increased supply, the price of manufactures; if the fall were permanent, either wages, profits, or raw material, or all three, must be permanently reduced beyond what they otherwise would be; and the statesman who had contributed to this result, would surely merit rather the maledictions than the benedictions of his countrymen. Mr. Clay would never wilfully, we are sure, produce such a result; and yet his conclusions, if true, would lead us to infer it.

We cannot quit this subject without giving, as we conceive, a complete demonstration of the almost impossibility of producing manufactures generally as cheap in a new country as in an old. We shall take for granted, that our readers are acquainted with Ricardo's doctrine of rent. Let us suppose two countries, England and America, for example, as having, as is the fact, a variety of soils—say

No. 1	-	produces 100 barrels,
2	-	“ 90 “
3	-	“ 80 “
4	-	“ 70 “
5	-	“ 60 “
6	-	“ 50 “

Number one produces, with a certain outlay of labour and capital, one hundred barrels. Number two, with the same outlay, ninety. Number three, eighty, &c. Now let us suppose, that in one of these countries they are working number one alone, because there is a sparse population; and in the other, they are working number six, with a dense population. Suppose that each should be determined to produce its own manufactures, let us ascertain the comparative cost. If an amount of labour and capital in the new country, equal to that which produces one hundred barrels of corn, should be applied to manufactures, the product would generally be equivalent to one hundred barrels of corn; other-

wise there would be two sets of wages and profits, which would not be in the same community. In the old country the same amount of labour and capital employed on number six, produces only fifty, and employed in manufacturing will produce manufactures which will only exchange for fifty barrels of corn. Now, under these circumstances, is it not perfectly vain for the new country to endeavour to rival the old in cheap manufactures, and for the old to produce corn as cheap as the new? Would not common sense dictate to the new country the propriety of getting its manufactures from the old, where fifty barrels will buy as many as one hundred barrels would, if raised at home? and here we have in fact the case of England and America.

The preceding argument is equally strong, if you suppose all the lands in the two countries to be of the same quality; for you have only to suppose, what all must admit, a degree in the progress of tillage at which outlays of capital and labour are productive of diminished returns, and that consequently, while the new is reaping the *full*, the old is getting a *diminished* return from the application of labour and capital to land.

The next argument which we shall answer, is one much relied on by the advocates of protection; *when there is free intercourse with the foreign nations, it is said foreign industry comes into competition with domestic industry, and frequently supplants it. The legislator, who shuts out these products from our market, appears like a patriotic and kind friend, who gives the wanted encouragement to domestic industry, and prevents the payment of tribute to a foreign country.*—We hope to show that there is not the slightest foundation for this argument, and yet so extremely plausible does it appear at first view, as to exemplify the sagacious remark of Hume, that there are no subjects, on which the first impressions of men are so liable to be false as those of a political character. First, then, we may be well assured of the fallacy of this argument, when on the slightest reflection, we find that both the trading nations may urge it with exactly the same propriety. Thus the United States say to England, we will not take your woollen, cotton, and iron manufactures, because we thereby encourage your domestic industry; might not England with equal propriety, on the other hand, say, we will not take your cotton, tobacco, and even specie, because we encourage your industry, and likewise that of South America? Might not an illiterate man, perfectly ignorant of the science of political economy, when apprized of this clamour from both nations, come to the conclusion that neither was injured?

But the source of error is easily detected; it consists in not reflecting that foreign products can only be purchased by domestic products; no nation will present to us gratuitously, the commo-

dities we import (and if any would, our argument would be so much the stronger); consequently every dollar's worth of foreign produce imported, is purchased by an equivalent; and it is this equivalent which encourages our domestic industry much more effectually than if we attempted to raise the manufacture instead of the equivalent.

But, say the restrictionists, *all this will do as long as we exchange the products of our own labour for the products of other countries. But these they will not always take, and then we are obliged to pay in gold and silver, which are not produced in the United States.* Grant it; but is it not evident that this gold and silver must be brought here, before we can send it abroad; and that it must consequently have been purchased either directly or indirectly with the products of domestic industry? The restrictionists further say, however, *that domestic manufactures may be a means of adding new employments to those already existing, and consequently they give to the labourer a choice of trades.*—We would ask what labourer or capitalist would like to have the range of his choice enlarged, when it was effected at his expense? and that these new trades thus introduced into society, by legislative enactments, are at the expense of those already existing, we shall attempt now to prove. We assert that no new employment can be advantageous to society in a politico-economical point of view, which requires a protecting duty for its support.

The great principle upon which the system of free trade rests, is that each individual understands his interest better than the government. Now, then, if the new trade were more advantageous than any in society, would not individual enterprise and sagacity quickly make this discovery? Does not the fact of governmental aid being necessary, prove that the occupation is a losing one? It proves that individuals are making more by their old trades, and consequently will not leave them, unless induced by the bounty given to the new trade, in the shape of protection.

Upon the same principles, we may show the entire fallacy of the argument, *which would justify protection to domestic manufactures, upon the ground that foreign operatives, working for a bare subsistence, are ground to the very dust, and consequently that ours ought to be protected against such competition.*

We would ask of those who entertain this opinion, whether they would not consider it an advantage to our country, if we could get foreign manufactures for nothing? If so, then would not the nearest approximation to this be desirable? surely it would; the cheaper the goods, the more advantageous for the country. But why is it that we can get the goods so much cheaper than we can

make them? Because we are engaged in business more profitable, we can better afford to buy than manufacture. It is precisely the case of the individual, whose sole and constant employment at his profession, is vastly more lucrative than if he were to attempt many other trades at the same time. Suppose, then, 20 per cent. duty is absolutely necessary, to encourage and to sustain the production of a particular commodity. What does this prove? Why that our citizens are already engaged in occupations more lucrative, and which they cannot desert, unless for this bounty, so that the same labour does in fact produce 20 per cent. less for the country than before, and this will be the case as long as the duty is necessary. We are prepared now to prove the absurdity of the assertion made in the address of the New-York convention, that "an unrestricted commerce" between two nations, reduces the labour of one, to the same scale of compensation with the labour of the other: and such a consequence is certainly to be deprecated by that nation whose labour stood highest on the scale. Now if this effect is produced among nations by free trade, there is no reason why the same result should not follow in the United States from the same cause. And if this be true, then ought our constitution to be forthwith changed, in order to allow the adoption of the restrictive system among the several states of our Union, for the protection of the labour "highest on the scale." But no! it is desirable, "that among the several communities associated under the same government, this reduction of the high labour to the scale of the lower should take place." Is not this a sentiment of the most dangerous, not to say diabolical character? If practised upon, it must lead to legislative rapine and plunder—a system of razing—a perfect bed of Procrustes—It would let loose those who had no property against those who had—It would revive the old doctrines of agrarianism and community of goods, and pushed to the extreme would abolish matrimony itself. And thus it is easy to show, that if the assertion of the address be true, it leads to the most fearful consequences. Fortunately, however, it is not true; free trade has a tendency to elevate the labour which stands lowest, towards the higher, but never to depress the latter.

The remuneration of labour depends upon the ratio between the labour and the profitable employment in the country—as long as the foreign labourer remains at home, this ratio is not disturbed. The influx of foreign labour into the country, might produce a depression in price of labour. If all the operatives, for example, of England, Scotland, and Ireland, could suddenly be disgorged upon the United States, there would most undoubtedly be a fall in wages; but as long as they stay at home, wages will not fall here; on the contrary, free trade will elevate them, and this assertion is susceptible of proof. Thus "the peculiar advan-

tage of the United States, consists in the abundance and cheapness of fertile lands, affording an easy subsistence and high remuneration to labour."

A high remuneration for labour in this country, then, is acknowledged in the address, to be the result of an abundance of cheap and fertile land. Now let us suppose a farmer to employ a certain number of labourers, and to produce so much as to be able to distribute every year fifty barrels of corn to each one as wages; will not these wages be virtually lowered by any regulation which would lessen the command of the labourer over the necessaries and conveniences of life? And would not the prohibitory policy inevitably produce this result? Suppose when free trade was allowed, the labourer kept twenty-five barrels to eat, and spent the other twenty-five for manufactures. When the restrictive system is imposed, in consequence of raising the price of manufactures, it would render it necessary for the labourer to spend more than twenty-five barrels to procure the accustomed quantity; and consequently his command over the necessaries and comforts of life would be diminished, unless you could show that the farmer could afford higher wages than fifty barrels. But how can any man imagine, that the restrictive system could enable him to give higher wages? All his farming utensils come higher, his clothing higher, and there is surely no reason why the soil should produce more; consequently he could not give higher wages, and thus would the restrictive system produce an inevitable fall in the *real* price of labour. In the same way it can easily be shown, that the cheap corn of this country, if admitted into England, would raise the wages of labour there. But we may illustrate this subject further. A farmer of course cannot cultivate land, unless the produce will pay at least all the expenses of cultivation; suppose, on a particular piece of land, all the expenses are, when estimated in corn, two hundred barrels, and that the product is just two hundred; increase the expense of cultivation, which the restrictive system will certainly do, and the farmer could no longer afford to cultivate this poor soil; and here is at once a diminution of employment, while the labour remains the same, and consequently a cause for lowering wages.

But the whole of this argument about the effect of the tariff, in preventing the lowering of wages "highest on the scale," appears to us "to be passing strange," when urged by the restrictionists. For it is in direct conflict with their other argument, that the tariff has a tendency to lower prices by producing competition. If the tariff lowers prices, it must, as we have already said, be either by lowering wages, profits, or the raw material. Now, in the last examined argument, it is asserted, that wages are kept from falling by the tariff; surely it will not be asserted

that profits are lowered, for that would be incompatible with "the existing state of the unparalleled prosperity of the country," of which the tariffites so much boast; and yet it is hard to attribute the fall to the cheapening of the raw material exclusively, for this would be to throw the whole burthen on the agricultural interest, which is most strenuously denied by the advocates of the American System. From what quarter then is the fall of price to come? The difficulties to be encountered in sustaining the two contradictory positions of a fall in price, and at the same time a rise in wages and profits, from the operation of our tariff, remind us most strongly of a remark of a facetious member of the Virginia legislature, who, in a speech recommending some change in the road system, informed the speaker, that on his way to the metropolis he had seen a most appalling *mud hole* in the road, which appeared utterly impassable, but that he had shut his eyes and spurred his horse, and was happy to inform him that he arrived safe on the other side—how, he did not know. By a process similar to this, we suppose the restrictionist is enabled to ride over increased wages, increased profits, and augmentation of the price of the raw material, to diminished prices! How? we will defy him to tell, except it be by shutting his eyes like the honourable legislator, and spurring his pegasus boldly over the chasm which stands yawning between his premises and conclusions.

Before leaving this subject, of the effect of the tariff on wages, we will not omit to point out an error into which we think the distinguished author of the Free Trade Memorial seems to have fallen. The Memorial states, "that the female labour employed in the cotton and woollen manufactures appears, from the rate of their wages, to be more productive than if applied to the ordinary occupations of women." Now we cannot agree that, even in a purely economical point of view, wages are high in proportion to pecuniary compensation alone. The labour of a female may be highly productive without the product of her labour appearing in the shape of pecuniary wages; she may nurse, clothe, and educate her children, attend to her domestic affairs, relieve her husband and the male portion of the family from all care about the concerns of the household, and consequently enable them to pursue undisturbed their own more hardy and laborious occupations. Could we, with any propriety, say, that the wages of such a woman have been raised, when she is transferred to a manufacturing establishment, where she receives fifty cents a day for her labour? The most productive labour of woman, is that which is employed in raising productive labourers for society, and in relieving her husband of those cares which break in upon the regularity of his pursuits.

But the advocates of restrictive measures further say, *that a*

nation may be prepared for manufactures, but that such is the prejudice in favour of old employments, that labour and capital will not desert them for the new. To this we would, in the first place, answer, that although there may be this indisposition to quit old trades, until they are greatly depressed below the general level, yet would it be extremely hazardous for government to interfere. For its interference would be as likely to come too soon as too late, and the Congress of the United States is the most unfit body in the world to pronounce upon these matters. But we deny altogether this complete indisposition to enter into new employments, which is supposed to exist in our country. *Cæteris paribus*, each individual prefers an old and accustomed occupation; it is his interest and that of the public that he should do so. But there are capitalists in the community who have not yet chosen their employment, and labourers just arrived at manhood, not wedded to any particular species of industry. Interest will most assuredly prompt these into the most lucrative employments; and where all are equal, difference of capacity, inclination, &c., will cause all to be filled; and the manufacturing business will be sure to come in for its due share of labour and capital. And let us not be told, there is a want of energy in our country. Energy and enterprise will always be found where there is liberty of both thought and action. And if the celebrated eulogy of Burke was so well merited in '75, why should we not have the same energy now? Speaking of our navigation, he says, "What in the world is equal to it? No sea, but what is vexed by their fisheries; no climate, that is not witness to their toils: neither the perseverance of Holland, nor the activity of France, nor the dexterous and firm sagacity of English enterprise, ever carried this most perilous mode of hard industry to the extent to which it has been pushed by this recent people; a people who are still, as it were, but in the gristle, not yet hardened into the bone of manhood. When I contemplate these things, when I know that the colonies in general, owe little or nothing to any care of ours, and through a wise and salutary neglect, a generous nature has been suffered to take her own way to perfection; when I reflect on these effects, when I see how profitable they have been to us; I feel all the pride of power sink, and all presumption in the wisdom of *human contrivances* melt and die away within me."

But a recurrence to the effects of our successive tariffs will clearly prove, that there is a sufficient disposition in our country, perhaps too much, to quit old trades and embark in new ones. Was it not found in 1824, that more had embarked in manufactures than the profits justified? In 1827, the business was said to be overdone; and after the tariff of 1828, so many entered into it, as to draw down ruin on themselves. Does this, let me ask,

look like want of enterprise, or an overweening fondness for old trades, and an almost invincible reluctance to enter into new ones? Certainly not: we have no hesitation in saying, that our capital and labour have moved with too often destructive despatch from one employment to another. A restless activity and desire for change and variety, are perhaps ruling traits in the American character. Every observant foreigner is struck by them, and under these circumstances, to suppose that individual enterprise and cupidity will leave any lucrative channel of trade unexplored, is to arrive at a conclusion unwarranted by fact and experience.

The next argument of the restrictionists which we shall answer, is the one drawn from the insecurity of the foreign market. *They say, all is uncertainty abroad, the real state of the world is "wars and rumours of wars." Therefore, the interest of the nation requires that we should not rely upon the foreign market, but that we should, no matter at what cost, establish one at home, not so liable to fluctuation; and this can be done, by prohibiting the entry of foreign manufactures, which will stimulate those established at home, and draw off from agriculture and commerce a portion of labour and capital, which will furnish a secure and profitable market for agricultural produce, not influenced by foreign wars and foreign regulations.* As to the extent of this domestic market, when compared with the foreign, we shall speak again when pointing out the operation of the tariff on the various interests of a community, and will only observe, en passant, that whatever may be its character, if the principles above stated be correct, the market is established wholly at the expense of the various classes of the community; and, therefore, resembles the market which is furnished by a standing army or an overgrown navy. *But the foreign market is fluctuating.* To this we would answer, that in time of peace, the addition of the foreign market contributes to steady prices: for the more extended our market, and the greater the variety of climes included, the less the effect of overproduction in one country, or deficient supply from another; for these mutually counteract each other. Whenever a commodity, which is susceptible of distant transportation, is confined to the home market, its price will almost always be fluctuating, because when there is overproduction, the redundant portion cannot be sent abroad. Mr. Malthus has well illustrated this, in regard to the corn laws of England. We shall take leave to illustrate the same by our own domestic manufactures.

In consequence of one of the highest protecting tariffs in the world, many manufactures have been ushered into existence in this country, long before the country was ripe for them. These manufactures of course cannot be sent abroad and sold in the

foreign market, without great loss; they may be said consequently to be entirely dependant on the home market. Now, in this state of things, suppose there should be overproduction, this immediately depresses the price so low, that frequently many manufacturers are ruined, and much capital is sunk. Capital and labour are driven from the business, and then we have a deficient supply, rise of price, and another rush into the business. And thus will continue this fluctuation, until we can manufacture as cheap as other nations; when this is the case, the redundant portion, in a season of overproduction, can be sent abroad, at little sacrifice, and the ruin of the manufacturer be prevented.* But all governments should beware of tampering too much with the markets, whether foreign or domestic, for the great staples of the country. "Commerce is like the native spring of the rock,"—an attempt to improve does sometimes destroy it. Government, by its impertinent interference, disturbs the harmonious operation of the immediate *regulator* of prices, *the proportion of the demand to the supply*; it produces uncertainty and fluctuation in trade, and gives rise to speculation, and consequent want of confidence throughout the community.

So far we have been considering the nature of the foreign market, in time of peace. Now let us see, *whether "wars and rumours of wars," are likely to affect it so much, as to render it necessary, by legislative means, to establish a home market.*

1st. If the war is between foreign nations, we are temporarily benefited, by becoming the carriers of the world. This is the best possible state of things for our agriculture and commerce; witness, for example, the effect produced on the agricultural interests by the wars of Napoleon in Europe.

2d. But the United States may be engaged in war, and then *the foreign market would be extremely precarious.* To this we answer, that the periods of peace are likely, in our country, to be much longer than those of war; and consequently, upon Mr. Madison's principle, we should provide rather for the former than the latter.

But even in war, we are not likely to be so hard pressed for our manufactures, as the restrictionists would suppose. The all pervading influence of commerce, is sure to explore every channel, and in time of need, to supply us with the commodity. The neutral trader too, is on the alert. He is prompted by cupidity, and allowed by the laws of war, to step in between the belligerent powers, and to carry on any trade in articles not *contraband of war*. And according to the British rules of '56, (and it is to be feared the immense navy of England will long enable her to

* This is exemplified by the revulsion which ensued immediately after the tariff of 1828.

dictate the maritime law,) neutrals are not permitted to carry on the coasting trade of a belligerent, and consequently, from this cause, the commerce between the distant portions of our confederacy, in time of war, will be in greater peril, than that with foreign nations, which may be carried on still by neutrals.

But even supposing for a moment the foreign supply is cut off, till we are not to imagine that a country like ours will be without resource. The present supply may be economized; and again, in all landed nations, there is a great deal of manufacturing constantly going on upon the farms, at odd times and during the winter season, which is a sort of saveall to the farmer; and then there will always be, in consequence of peculiar manufacturing facilities, factories, established in various portions of our country; and by these means, we should ever, under all circumstances, be furnished with a large amount of manufactures consumed; and by an extension of this business, we can easily meet the exigencies of any war, even supposing our foreign commerce cut off entirely.

But after all, a state of hostility is best provided for, by the accumulation of wealth.—Wealth is power; it constitutes the sinews of war; and that nation which, by leaving commerce unrestricted, makes the most rapid progress in the accumulation of wealth, is, in fact, the best prepared for war.

It is said, however, to be undignified to be dependant on foreign nations for our manufactures. Now there is no one, who can close his eyes to the fact, that this dependance is mutual, and therefore not at all undignified: and that, if there is any difference between the two trading nations, in regard to independence, the nation like the United States, furnishing the raw material, is more independent, than the nation furnishing the manufacture. But this mutual dependance is, in fact, the greatest guarantee, as we have already said, of the peaceful condition of nations: it interests all thus bound together, in the preservation of peace. Look to France and England, with scarcely any commerce between them, and see how ready they have always been for war. Look again to Great Britain and Portugal, nations bound together by commerce, and you will find, that either would pause, before it would rashly break the peace. Commerce will always create a *peace party* in every country; its influence thus provides for the repose and tranquillity of nations.

III. Operation of the restrictive system on the great interest of the country, together with the evils flowing from it.

As the operation of the tariff on the great interest of the country, is a problem, the solution of which has presented many and great difficulties, we proceed to its examination with all due care and caution: and in order that we may arrive at once at the principle upon which this investigation is to proceed, we will assume,

1st, a case stript of all bewildering circumstances. We will suppose a small country, possessing a homogeneous interest throughout, can generally purchase its manufactures from abroad cheaper, say 20 per cent., than it can produce them at home—that this country lays such duties on foreign articles as to put a stop to importation, and stimulate the domestic manufactures. The effect on price would generally be a rise of 20 per cent., if it were not that this unnatural direction of labour and capital would lower profits, and consequently prevent manufactures from rising the whole 20 per cent.; but the rise would be nearly to this point, and we will therefore assume it; the operation of those duties would be as follows: Each consumer would evidently be taxed to the amount of 20 per cent. on his consumption, in order to bribe a portion of the labour and capital of the country into an employment for which it was not prepared. So far the tax operates on consumption. Let us examine now its operation on production.

There is nothing more true, than, that we cannot export for any length of time without importation; and if a law or regulation should be passed permanently diminishing importation, such a law would operate, after a very short time, in producing a permanent decline of exportation likewise. If, then, the small community above mentioned, should cease, in consequence of its prohibitive system, to import any manufactures, it would cease to export *pro tanto*. This would cause a loss of the foreign market for its native products. For this loss, it would only partially be compensated, by the market afforded by those, who might be taken off to manufactures; for the increased price of the manufactures might prevent, not only the same quantity from being consumed as before, but even a quantity, whose whole value might be equal to the aggregate value of those consumed before the rise in price. All experience has shown the latter to be the most probable result; should this be the case, then the producer would experience a contraction of his market, which would lower the value of his product, and this would be a tax on the producer, independently of that which he bore as consumer. But as we have supposed a community of perfectly homogeneous interest, possessing every where the same manufacturing facility, every part would consequently suffer alike. Profits of stock would be lowered, the law would diminish the general productive power of the country, and would consequently operate like a dispensation of Providence, which should diminish the fertility of the soil; or the edict of a tyrant, who should order the peasant to grow *one* article on his *land*, when, from peculiar adaptation, he could grow *another* which would yield him much greater profit. The manufacturer would suffer along with the other classes of the community, in diminution of profits, so soon as domes-

the competition had adjusted the equilibrium: a community of this kind, with a full knowledge of its interests, would never impose restrictive measures with a view to protection, for they would injure all classes.

But in an extended country like ours, with a great diversity of interest throughout, the case may be different. Let us now, then, trace the operation of those restrictive measures, on a country embracing interests which are discordant; and as before, let us suppose the difference between the cost of producing manufactures in such a country, and importing from abroad, to be 20 per cent.—The first operation of the prohibitory policy, would be to raise manufactures 20 per cent. All consumers would consequently be taxed to the amount of 20 per cent. on their consumption. So far, the consumers would undoubtedly pay a tax, to keep up what would otherwise be a losing business. But in looking to the various sections of the country, we might find them very variously situated in regard to manufacturing capacity, and this difference might be attributable to difference in profits, wages, raw material, water power, &c. For the sake of developing the principle clearly, let us suppose one portion of such a country could manufacture 20 per cent. cheaper than a second, and this latter 20 per cent. cheaper than a third.—Now impose a duty of 20 per cent. on the foreign manufacture, and you would set this first section alone to manufacturing, and if it had not sufficient capital to supply the whole demand for manufactures, then you might raise the duties to 40 per cent.; and this section would, during the whole progress of the duties from 20 to 40, enjoy a monopoly against the rest of the country. When the duties were raised to 40 per cent., then the second section could manufacture; and if the first and second together could not supply the capital requisite to produce the manufactures demanded, then they might enjoy a monopoly against the third section, during the advancement of the duties from 40 to 60 per cent.; at which point the third would commence, according to our hypothesis. And thus would the duties, in the first instance, have injured the second and third sections, for the benefit of the first. When they reached 40 per cent., they would injure the third still further, for a partial benefit of the other two.

It is easy to see, if this exposition be correct, the duty will operate more unequally, the fewer the sections are in which the article can be produced, and the more limited their capacity may be for supplying the whole demand. Thus salt, iron, hemp, sugar duties, &c., operate more unequally and more oppressively, the fewer the districts in which those articles can be produced, and the more limited their capacity for supplying the whole demand.

This supposititious case, from which we have been reasoning,

may, with little modification, be applied to our own country. That portion of the United States abounding most in population and capital, is fittest for the business of manufacturing, generally; this, for the most part, comprises the northern and New-England states. This portion is compensated for the tax paid on consumption, by a bounty on production—its low profits are by this bounty either prevented from sinking lower, or are raised, while profits in other sections, not favoured by the bounty, are depressed. The south and west are injured, 1st, by augmentation of the price of manufactures, by the lowering of profits, and the consequent deterioration in the value of property. 2d, by the prevention of that influx of capital and emigrants, which their fertile soil and spare population are constantly attracting to them from the sterile lands and crowded population of the north.

Again, the sugar, iron, hemp, salt duties, &c. and all those of a purely local character, are still more objectionable; the districts in which they are produced, enjoy a monopoly from which it is impossible for the rest of the community to escape by competition, for the door is closed against rivalry, by the very contracted sphere in which the commodity can be produced.

So far, we have been considering the unequal bearing of the duties upon the sections which do, and those which do not produce the manufactures protected. But there may be an inequality of a most burthensome character, arising from the effect produced by the protecting system on exportation. Thus, we cease to import certain articles from abroad; the consequence is, our exportations must be curtailed *pro tanto*. Now, if the manufacturers raised up at home, do not afford a market correspondent to this curtailment of exportation, then, the home producer suffers a loss of market proportionate to the difference, and this is a burthen imposed upon him, in capacity of producer, over and above that which he suffers as consumer.

We cannot quit this all important subject of the sectional bearing of the American system, without examining more particularly, on the principles above stated, a doctrine now maintained by some of the most distinguished men of our country, *that the producer of the export, with which in the operation of trade the import is purchased, is virtually the payer of the tax levied on the import, and consequently, that the cotton, tobacco, and rice-growing states, which furnish two-thirds of the exports, pay virtually two-thirds of the duties on the imports.*

When this doctrine was first announced in the Congress of the United States, by one of the most distinguished members of the south, it was considered wild and visionary. It met with but a cold reception from the anti-tariffites themselves: we recollect to have heard one affirm, that he believed, the gentleman who so

eloquently advocated the doctrine in debate, was the only member in the House of Representatives, who conscientiously believed in its truth. But two years have rolled around, and what a wonderful change has been effected. In the late debate in the Senate, all the most able speakers admitted its truth to nearly the full extent. The fact is, the doctrine is almost always true to some extent, and in the case of our country, circumstances have concurred to render it so far true, as that the American system has made the south tributary to the north, and every day's experience is practically demonstrating this melancholy truth. "Fields abandoned, the inhospitable mansions of our fathers deserted; agriculture drooping; our slaves, like their masters, working harder, and faring worse; and the planter striving with unavailing efforts to avert the ruin which is before him." All! All! are at last opening our eyes to the sad reality of the picture. Without further preliminary, we shall proceed to examine the doctrine, and for the sake of simplicity and perspicuity, we will first suppose the case of a barter trade, without the intervention of the metals; and, secondly, will endeavour to point out the influence which may be exerted through the agency of a circulating medium.

1st. In the trade between the United States and the rest of the world, the cotton, rice, and tobacco, form two-thirds of the exports of the former. Now, as in our trade with the whole world, it is evident that the whole amount of imports must be generally purchased by the whole amount of exports, it follows, therefore, that two-thirds of the imports into the country are purchased by the productions of the cotton, tobacco, and rice-growing states. By far the largest portion of our importation is furnished in the shape of manufactures by Great Britain, and as she receives principally our cotton, rice, and tobacco, the importations of her manufactures may be said to depend upon the exportation of those three staples, or which is the same thing, the exportation of these staples must depend on the importation of manufactures. We readily agree that the south does not consume the whole of those manufactures; they may be consumed throughout the United States. How, then, let us ask, do the north and west get a portion of them, over and above what they would be entitled to, if we look at their exports alone? The north obtains its share, by carrying on to a great extent, the commerce which affects these exchanges. It carries on, too, a large portion of the coasting trade. It furnishes the south with most of the manufactures necessary for her consumption, not purchased from abroad, and lastly, it sends to the south certain agricultural products, which the latter cannot or will not produce, and by these means, the north gets its due portion of the manufactures imported from abroad.

The west gets its portion by sending hogs, horses, mules, &c., to the south. It sends likewise a few manufactures, which naturally spring up in the interior—and a considerable portion of agricultural produce, which is augmenting from day to day, as those great schemes of internal improvement, projected by the several states on the Atlantic border, reach farther and farther into the interior, and stimulate the agricultural labour of the west. And thus is distributed the surplus portion of manufactures imported from abroad, in exchange for southern staples.

The north and west consume the manufactures imported from abroad, because, all expenses and inconveniences told, those manufactures can be procured cheaper than they can be raised. Let us suppose, as in the case already stated, that the mass of manufactures can be procured from abroad 20 per cent. cheaper than they can be raised to the north, and 60 per cent. cheaper than they can be raised at the south—then, if the government should impose a tax on imports for revenue alone to the amount of 10 per cent., and we throw money entirely out of view, on every cargo coming into the United States, 10 per cent. would be taken for the revenue. Supposing the cargo to consist of cloths, for example, out of every hundred pieces, ten would be taken by government.

The south would be the first to bear this tax, and would continue to bear it, until such a rise in manufactures ensued, as would throw it on the consumers. This would not happen immediately, especially in a pure barter trade. For, as the south is dependant on the foreign market for the price of the three staples in question, and there would not be an immediate diminution in the exports, there would be none in the imports as to quantity. As the manufactures imported into the country would not be diminished in quantity, on the principle of supply and demand the price would not fall; the levy of ten in a hundred made by the government, would, together with the ninety left in the hands of the importer, be thrown into the circulation, and prevent the supply from lessening. The tax, then, in the first instance, would fall on the southern producer; this would make his business less lucrative than before; labour and capital must be withdrawn from his business until the exports are lessened; that would lessen the imports; and consequently, upon the principle of supply and demand, manufactures would rise in exchangeable value, and this process might go on till the manufactures had risen 10 per cent. in value. At this point, if the exchangeable value of the whole aggregate mass of manufactures consumed, equalled the value of those consumed before the duty, then the tax would fall entirely upon the consumer. For it is evident, that the exchangeable value of the aggregate of imports being as great as before, and forming, in fact, the price paid for the exports, the market for

those exports would be as advantageous as ever; the diminished quantity of imported manufactures being exactly compensated by increased price. But experience has shown that the aggregate value of the whole mass consumed when the price is high, is generally much less than when it is low. When sugar, under Napoleon, sold for five francs per pound, the aggregate annual value consumed in France did not equal that of the quantity afterwards consumed, when sugar fell to one franc the pound. So the whole value of the aggregate of cheap cotton goods now consumed in the world, is far greater than the value of the aggregate consumed when prices were double what they now are. If, then, the 10 per cent. rise in manufactures produced by the duties, should cause such a diminished consumption, as that the value of the aggregate consumed at the high prices should be less than that at the low, then the difference would be the amount of loss which the exporting states would suffer; a loss which to them would be over and above the tax on consumption, and would be of a permanent character. For, the value of the whole mass of imports being lessened, the value of the exports would soon be reduced to the same amount.

Suppose now a duty of 20 per cent. should be imposed by the government; let us see how this would operate, by the process above described. The value of manufactures might rise 20 per cent., but at this point the northern manufacturers would be stimulated into action; for, by hypothesis, 20 per cent. duty is just sufficient to put the northern manufacturer on a footing of equality with the foreigner. Suppose the domestic manufacturer should furnish one-half the supply, then half the importations from abroad would cease, and this would reduce the foreign market to one-half its former capacity. Here would evidently be a contraction of the foreign demand for the three staples in question, to the amount of one-half.

Let us examine now into the state of the home market, and see whether it will compensate for the loss of the foreign. And first, if a portion of the cotton, tobacco, and rice-growers were taken off to manufacturing, a diminished production might partly compensate for the loss of the foreign market; but none are taken off in this way, and consequently, no compensation arises to the south from this quarter. Many of these manufactures however are produced from the raw material, (cotton) one of the staples in question, and so far unquestionably creates a home demand for cotton; but then the other two staples, tobacco and rice, are consumed in no greater quantities at home than before, and the loss consequently of the foreign market, is, in regard to them, entirely unrequited. But let us examine this demand for cotton, and we will find that it is trifling when compared with the loss of the foreign market. General Hayne, in his speech in the

Senate, estimates the value of the raw material in cotton goods, to be about one-fourth of the whole price; supposing this to be true, and we have no doubt that his estimate is sufficiently high, it would follow, that we have a home demand for cotton, equal to one-fourth the value of the cotton goods produced in this country, substituted for a demand equal to the whole value, not only of those cotton goods, but of the iron, woollen goods, &c., which are now produced at home, instead of being imported from abroad, as before the duties; for when imported from abroad, they were purchased by southern staples; now they are not.

We will now proceed to examine into the condition of the north, and see whether there be gains there to compensate for the losses of the south; and on examination, we shall find there are none. For on our supposition, 20 per cent. rise on the original price of manufactures was necessary, before the north could commence manufacturing; that rise has taken place, and the business has commenced; but it affords profits only equal to those which would have been yielded by other trades, which must now be either given up, or not so far extended as they would have been under a system of unrestricted commerce. But beyond this point, every rise in price, up to 60 per cent., would be an advantage to the north, as we shall soon demonstrate. But before we do this, we will cast a glance at the west, and see how it fares under this system.

First, then, it pays a tax of 20 per cent. on all the manufactures consumed, which it may partially counteract by diminished consumption; but this is not the only loss. There is a contraction of the market for western staples; the northern market will not be increased, and the southern must necessarily be diminished. For, the great market for southern produce contracting, it must be evident that the means of purchasing from the west must have diminished in consequence. Perhaps, too, a portion of southern labour and capital will be devoted to the production of these very staples, hitherto furnished from the west. Here then is a manifest contraction of market for western products, and a consequent burthen imposed upon production, over and above what falls on consumption, from which there can be no escape, unless by changing employment.

The manner in which the government used the portion which it collected for revenue, might greatly increase or diminish the sectional inequalities above mentioned, according to circumstances; but as government never collects and disburses revenue in the shape of manufactures, we will defer the examination of the influence of expenditure, until we consider the modifications to the doctrine, from the agency of a circulating medium.

When things are in the condition above described, it would be greatly to the immediate interest of the north, to lay on additional

uties. Let us suppose then 10 per cent. more duty, making the whole 30 per cent., to be levied on imported manufactures. Then if the south exported as much as before, and the north produced only as much as before, prices would remain in statu quo; but upon the imported manufactures there would be levied the additional duty of 10 per cent.; this burthen would fall at once on the producer of exports, and the only means of escape would be by diminishing his exports—this would lessen the imports, and then the market would be left to be supplied by the northern manufacturer. He would therefore enjoy a sort of monopoly, and in proportion as the south was driven from the business of importing manufactures, he could gradually raise his prices the whole 10 per cent.; manufacturing profits would be elevated by this rise in price, and as there is ever a tendency, in small communities, to an equilibrium, all other trades in the neighbourhood would gradually experience an elevation of profits. By increasing the duties still further, the north might still further raise prices, at the expense of the rest of the Union, until that point was attained by the price, at which the south and west might commence manufacturing. Here for the first time would cease the grinding oppression of the system. But before this point was reached, southern labour might be almost valueless, and southern profits annihilated.

So far we have thrown out of view the influence of a circulating medium on national exchanges, to an examination of which we will now proceed, as being necessary to the complete understanding of this complicate subject. Suppose the manufacturing capacities of Europe and our own country to be as already stated, that is, that Europe is 20 per cent. beyond the north, and the latter 40 per cent. beyond the south; suppose likewise the imports and exports as already stated; then if a duty of 10 per cent. for revenue be laid on the imports, goods will rise, as in the case of the barter trade, 10 per cent., but in a somewhat different manner. The duties will not at first diminish the exports, nor the imports. But as manufactures are taxed 10 per cent., the importer is naturally anxious to throw this tax on the consumer; that cannot be done, however, if he imports as many manufactures as formerly, for then, the supply would not diminish. He will therefore, for the purpose of escaping the duty, import a considerable amount of specie, which is duty free. The price of manufactures will now rise, for a double reason; 1st, because the supply has been diminished; and 2d, because of the extraordinary importation of specie, which has caused a depreciation in the whole circulating medium, and a consequent nominal rise of price. This process will continue until the rise in manufactures has become equivalent to the duty. Then it would depend upon the fact whether or not the United States consumed an aggregate value of manufactures equal to that consumed before the rise of price; whether

south would bear a burthen on its production over and above that which it sustained on consumption. In this case the revenue duty would not at first operate so harshly on the south, as if there had been a pure barter trade; because gold and silver being duty free, will be imported instead of manufactures. But then there might not be always a sufficient quantity to be spared by Europe, and the importation of specie is not so advantageous to the country as that of manufactures:—all this would affect directly the southern producer.

We will suppose now a duty of 20 per cent. is laid on foreign manufactures; then prices would rise, as just described, 20 per cent.; and the northern manufacturer would be merely set to work; he would gain nothing by manufactures, for he could have been just as advantageously employed in other trades; but beyond this point, every addition of duty would operate to the advantage of the north. Thus, suppose 30 per cent. duty be laid, then the domestic manufacturer would be protected by a clear protecting duty of 10 per cent.

Let us examine the operations of commerce, under this duty, as influenced by a circulating medium. The exports of the south would be sold, and money, being duty free, would at first be imported, instead of manufactures; this would increase the mass of circulating medium, and tend consequently to raise prices; the supply of manufactures being likewise diminished, this would have a tendency still further to enhance the value, which would be a clear gain to the north.—If by this importation of money into the country, all parts experienced a rise in the price of property, proportioned to the depreciation, then all would be affected alike; but this is far, very far, from being the case. The south pays more for every thing consumed, and gets less for its products. Thus, the money imported from Europe, or rather from England, is not wanted for consumption by the south; it is sent therefore to the north for manufactures. Money consequently accumulates at the north, and as a necessary consequence, every thing there rises in nominal value. In the south, so far from a rise in the price of property taking place, which alone can compensate for the depreciation of money, there would be an actual fall in prices; for Great Britain furnishes the market for southern staples; whose price, therefore, is entirely controlled by foreign prices. Now, by the process we have just described, a portion of the precious metals being abstracted from the circulation of Great Britain, will cause an appreciation of the remainder, which always produces a fall in nominal prices: cotton, rice, and tobacco, would all fall from this cause in England; and with these, must necessarily fall the land which produces them. Thus, while many prices are rising in the north, from the accumulation of

money there, they are falling in England, from its abstraction.* And the south, in the mean time, is made the great sufferer. This process continues until the rise in American, aided by the fall in British manufactures, at last compensates for the additional duty of 10 per cent.; then there will be importations from abroad, and an exportation of our specie. Suppose the metals to be depreciated 5 per cent. in England, then a depreciation to the same amount in our country, would counteract the duty of 10 per cent., for from this cause, the fall of price would be 5 per cent. in Great Britain, and the rise would be 5 in our country.

This exportation of the precious metals from our country, caused by the importation of British manufactures, would, no doubt, rouse all the *monopolists* and *matter of fact* philosophers into action. The former would tell you that the great capitalists of Great Britain, were breaking down our establishments by their diabolical schemes, and when this was effected, prices might be raised by them to any height. The latter, planting themselves upon the principle of the old exploded balance of trade, which true philosophy has long been ashamed of, would point you to the exportation of specie, and weep over the speedy ruin which threatened our country from a loss of the precious metals! Their remedy would doubtless be additional duties. If these were granted, by the process above described, prices would rise in this country, and fall in Great Britain; the southern producer suffering all the while, until the additional duty were counteracted, when importations would again commence, and this series of operation might continue till the duties had reached 60 per cent., when the south might commence manufacturing; but before this time, as we have already stated, southern labour might be valueless, and southern profits annihilated.

It is curious to pause, and contemplate for a moment the change which would here be produced by the touch of the *legislative wand*. Under a system of free trade, the rich products of the south were sent to Europe to purchase her manufactures, which were subsequently distributed over the Union: the south furnishing the equivalent for those manufactures in the first place, and subsequently distributing them to the north and west, in exchange for other equivalents. By the impertinent interference of legislative enactments, this whole system is reversed. The south, instead of raising the rich products which suit the European market, is constrained to alter her system to suit the de-

* From this disturbance of money prices, may be explained the fact so frequently noticed in our country, that since the protecting system has gone into operation, many establishments which were built up without any protection at all, have been afterwards ruined by the revulsions which have taken place by changes in nominal value. There is nothing better calculated to dislocate the existing order of things, and to lead on to a gambling and speculative mania, than the disturbance of money prices.

mands of the north ; instead of being the *great distributor* of manufactures over the whole Union, she becomes a *petty distributee*. The north is now the producer and the distributor, with a barren soil and inhospitable clime, exhibiting the extraordinary phenomena of high wages and high profits, and a general prosperity far transcending that which we behold in a region possessing the most genial clime and fertile soil embraced within the limits of an immense territory.

We will now examine the circumstances which *might* prevent the producer of the export from feeling so much of the burthen, as we have shown he is likely to sustain. 1. *He might change his cultivation, and cease to produce the article exported.* To this we answer, that even if he could change, with merely a temporary injury to himself, yet you have no right to inflict this temporary injury on one class exclusively. If in a small isolated community, all the taxes were levied on one trade, that trade might quickly rise to a level with all others. Yet every trade would most undoubtedly deprecate such a tax, because no class would like even a temporary depression. But agricultural communities, in consequence of peculiar adaptations from soil and climate, cannot change their productions without ruinous consequences, and these are the more destructive in proportion to the extent of country over which the change is to be effected. A legislative edict, then, which should render it necessary for the staple-growing states to change their productions, would be like a dispensation of Providence which should destroy the fertility of their lands, and paralyse the exertions of their labourers. But, 2. *May not this burthen, instead of falling on the producer of the export, be made to fall on the producer of the import, and consequently, may not England be made to bear a portion of it ?* If we alone supplied England with the exports in question, and the quantity which she took from us was trifling when compared with domestic consumption, then, perhaps, we might raise the price of the staples, and make the burthen fall partially on her. But this is not the case ; the English market for cotton, the great southern staple, is far greater than our own domestic market, and consequently regulates our prices. England, moreover, is not dependant on the United States alone for this staple ; a large portion of her demand is supplied from the East and West Indies, Egypt, and Brazil. Suppose, then, the southern states should diminish the supply for the purpose of elevating price in the British market. This would only have the effect of stimulating the production of cotton, in the countries just mentioned, to such an extent as to supply the deficiency, and thus the south, instead of raising prices, would have pursued a suicidal policy, which in the end might exclude her productions from the best market in the world.

Again, if the United States formed the only, or the chief market for English manufactures, we might perhaps throw a portion of the burthen on Great Britain. For the American market might then regulate the price of British manufactures; unfortunately, however, for the devoted south, this is far from being the fact. When we compare our market for English manufactures, with the immense domestic market of England herself, and that of the rest of the world, ours sinks almost to insignificance; we do not consume one-twentieth of her immense production, and consequently, we cannot expect to regulate her prices. If in the purchase of British manufactures, we are constantly over-bidden by nineteen-twentieths of the purchases, British manufactures will be *knocked out* to them, and not to us. The south, consequently, in vain may expect an alleviation of her burthens from this quarter, for we cannot regulate the price of British manufactures.

We thus have proven that the south cannot throw the burthen on Great Britain. Let us now see if there are not some things which are calculated to alleviate the pressure. *The United States might diminish their importation of articles burthened with high duties, and increase that of those duty free, or lightly taxed.* Thus, there are three classes of commodities produced in Great Britain, we will suppose, which may be imported into the United States; the first at a fair profit, the second at 5 per cent. below a fair profit, and the third, 10 per cent. below; then a duty of 5 per cent., levied on the first, would sink it to the level of the second, and of course the importation of the latter, would commence a further duty of 10 per cent. on the first, and of 5 on the second, which would give rise to the importation of the third. And a duty of 20 on the first might drive it entirely from our market,* which would now be left open only to the second and third. This might undoubtedly prevent a pressure on exports, to the whole amount of the duty. But unsatisfactory as such an alleviation, under the most favourable circumstances, should be to the south, (for it admits the pressure, and only professes to lighten, without removing it) yet in the case of our tariff it amounts scarcely to any thing. For but very few of what have been denominated the *unprotected* articles, are produced in Great Britain: and consequently, even if their importation should be greatly increased, they could not be paid for in the great southern staple, as in the case of England. If we increase our importations from China, Arabia, Africa, South America and the West Indies, whence come the unprotected articles, we should not thereby compensate the south, for the loss of the British

* Provided it could be dispensed with; otherwise it would rise 10 per cent., unless it could be produced at home.

market, for she would be obliged to change the whole system of her tillage, to furnish the equivalent for the new importations.

But we still continue to import an immense amount of goods from Great Britain, which are of course paid for in cotton, rice, and tobacco; and this, it may be urged, proves that the southern producer is not so much injured as is generally imagined. To this we would, in the first place, answer, that the large importations from abroad do not prove the prosperity of the south; she cannot change her productions, and consequently, she cannot very greatly contract them; they must be sent abroad, and force importations as a necessary consequence; but with what profit and advantage, her present depressed condition too eloquently tells! But secondly, we assert, that our importations are not comparable to what they would be, under a system of free trade. We have no doubt but that the imports would be double, perhaps treble, what they now are, if our government had adopted, and steadily adhered to the moderate system of duties, recommended by Alexander Hamilton in his celebrated report; and although this would have been more directly advantageous to the staple-growing states, yet it would, indirectly at least, have diffused its advantages over the whole United States. A demand for our agricultural products of every description would, either directly or indirectly, have been generated by the great demand occasioned by this importation. Our country would have exhibited a uniform, lasting, scene of prosperity; not blown up by legislative enactment, and resting upon oppression and injustice, as is now the bloated and unstable prosperity of the north; but produced by a full development of the productive resources of our country, under a system recommended to us by every consideration of justice, political expediency, and economy; and consequently, calculated to endure, and to perpetuate, and cement the union of our states, so fondly cherished by every true patriot.

We have now considered the various means which might, under favourable circumstances, prevent or alleviate the burthens which our protective system has entailed upon the south; and will close this head, by a consideration of the favourable or unfavourable influence which may be exerted by government disbursements. Let us suppose a community of five districts, originally equal in wealth, united under one government. Now, if \$5,000,000 revenue be raised by taxation, so apportioned as to levy a million on each section, and in the disbursement equal portions are spent in each section; then would there be equality in the action of such government, both as to taxation and expenditure; and under these circumstances, every section of the community would be in favour of the lowest possible taxes compatible with a salutary operation of the government. If, however, you

suppose \$4,000,000 of this money to be disbursed in three of those sections, then the equality is destroyed by expenditure. It now becomes evidently the interest of those three to raise the taxes to the greatest possible amount, in order to produce large expenditures. If you will further suppose an inequality in the taxation, as, for example, that \$4,000,000 were raised on the two sections in the minority, then the operation of government becomes unequal and oppressive in the highest degree. Here would the majority find such a deep interest in taxation and expenditure, as to afford a temptation, which, we fear, frail human nature could not resist. In this case, by legislative enactment, the majority are covertly enabled to plunder the minority, just as successfully as the lawless chieftain, in ancient times, at the head of his barbarian clan, was enabled to plunder, by physical force, the abodes of wealth and civilization. In regard to our own government, we have already proven that its exactions are greatest on the south. If we look to the expenditures, we find no compensation; but on the contrary, an aggravation of the evil. We find the sections least burthened, reaping most in the disbursements; can we wonder, then, that high duties and an overflowing treasury should be so ardently desired by them? "If," says the very able and distinguished chairman of the committee of ways and means, "in the splendid career of modern improvement, political philosophy should make the blessed discovery of an art, by which government could be carried on without money, and the system of federal taxation were to cease entirely, can it be doubted for a moment, that the whole of the protected classes would regard it, in a pecuniary point of view, as the heaviest calamity that could befall them?"

Thus have we travelled around the whole circle of means, by which the south *might* have been released of her oppressive burthens, and have found, under the actual circumstances of her condition, that they are either imperative or adverse to her. Can we, then, wonder at the decaying condition of the south, under such adverse legislation? Well and eloquently has the gloomy picture been drawn by one of her gifted sons; which we shall introduce as "mournful evidence" of the truth of our reasoning. "If," says General Hayne, "any portion of the rich fruits of this system have been scattered here, (south) they have not fallen under my observation. Sir, we know them not—we see them not—we feel them not. It may be supposed, however, that we are too full of prejudice to perceive, or too ungrateful to acknowledge, the blessings it has bestowed upon us. We have heard of men having honour thrust upon them, and perhaps there may be such a thing as having benefits thrust upon an unwilling people; yet I should think, that even in such a case, they would soon become reconciled to their lot, and submit to their fate with a

good grace. But, I assure the gentleman, that the condition of the south is not merely one of unexampled depression, but of great and all-pervading distress. In my own state, the unhappy change which has, within a few years past, taken place in the public prosperity, is of the most appalling character. If we look at the present condition of our cities—and I will take Charleston, by way of example—we find every where the mournful evidences of premature decay. Sir, the crumbling memorials of our former wealth and happiness too eloquently teach us, that without some change in your policy, the days of our prosperity ‘are numbered.’ It is within my own experience, that, in the devoted city in which my lot has been cast, a thriving foreign commerce was, within a few years past, carried on *direct to Europe*. We had native merchants, with large capitals, engaged in the foreign trade. We had thirty or forty ships, many of them built, and all owned in Charleston, giving employment to a numerous and valuable body of mechanics, tradesmen, and mariners. Look at the state of things now! Our merchants bankrupt or driven away—their capital sunk or transferred to other pursuits—our shipyards broken up—our ships all sold! Yes, sir, I am told the very last of them was a few months ago brought to the hammer—our mechanics in despair—the very grass growing in our streets, and houses falling into ruins—real estate reduced to one-third part of its value, and rents almost to nothing. The commerce, which we are still suffered to enjoy, diverted from its proper channels, carried on with borrowed capital, and through agents sent among us, and maintained by the tariff policy, bearing off their profits to more favoured regions, ‘eating out our substance,’ and leaving to our own people the miserable crumbs which fall from the table of their prosperity. * * * * Sir, when we look at our fertile fields, and consider the genial climate with which God has blessed the south—when we contemplate the rare felicity of our position, as the producers of an article, which, under a system of free trade, would command the markets of the world—is it not enough to fill our hearts almost to bursting, to find the richest blessings that an indulgent Providence ever showered down upon the heads of any people, torn from us by the cruel policy of our own government—to see the bounties of heaven blasted by the hand of man.”

From the exposition which we have made, of the operation of the restrictive system, it is proved that one portion of the country may be benefited at the expense of the remainder. Must it, then, necessarily follow, that *enlarged* considerations of interest should make that portion cling to the system? We think not. We must recollect, that in estimating the prosperity of states, we must not include the present moment alone, but must look to the future. We have indeed purchased prosperity at a high and

lancholy price, when it is transient in its duration, and is succeeded by lasting and blighting evil. We must recollect, that protecting duties impair the productive powers of society, as a whole, and consequently, diminish the wealth of the country—the increase in the price of manufactures is a national loss. We must recollect, too, that protecting laws operate with peculiar force against the navigating interests, which are so highly important to the New England states, not only by increasing the price of the articles used in ship building, but in consequence of diminution in the demand for vessels and seamen. And if it may be said, that the latter may betake themselves to some other occupation; we answer, in effecting this change, much capital will be sacrificed, and many sailors, unprepared for the ordinary occupations of society, will be thrown upon the world unprotected for; and moreover, the great nursery for our military power may thus be seriously impaired. The gains, then, which one part of the country can make out of another, in consequence of the bounty on production, are comparatively but momentary. By a just and equal law of Providence, the *permanent* interests of society are so knitted together, that the advances made by one section of country, at the expense and depression of others, must necessarily be fleeting and limited. It is surely the permanent interest of every section, that all others should thrive along with

The interests of all are substantially and permanently in perfect harmony. The miserable gains which it is possible for one section of our country to wring from an oppressed and impoverished people, are just as destructive to its own prospects of permanent and progressive advances, as they are detrimental to the oppressed. And an irritated people may, sooner or later, rise in their might, and shake off the oppression: and then, those who have been temporarily prospering, are depressed to their original—yes, far below their original situation.

x. V.—*The Oxford English Prize Essays.* Oxford: D. A. Talboys: 1830: 4 vols. 12mo. pp. 317, 294, 326, 294.

If any of our readers should feel a disposition to complain that we are transcending our appropriate limits, by entering upon the examination of a work so purely trans-Atlantic as that before us, we crave a suspension of their judgment, until we are enabled to point out the relations of the subject to our own interests. We are always regarded as frivolous, the objections of those who would restrict an *American Review* to the notice of indigenous

productions. Why it is, that of all the literary world, we alone should have our eyes confined to the lights of a single nation, we confess ourselves unable to perceive. It would surely be deemed an exorbitant demand from our periodical journals to banish from their columns all reference to foreign history and politics. The cases in this aspect are entirely parallel, or if there is a divergency, it is favourable to our argument; inasmuch as the republic of letters recognises no geographical boundaries. That a Review should be so far national, as to contain no paragraph which has not a reference to the public interest, we cordially grant; that it should studiously exclude all that is bright and attractive in the old world, we as promptly deny. In what manner our functions are exercised, it is not for us to proclaim; but so far as our position is concerned, we regard ourselves as occupying an official eminence, from which we may telegraph to our countrymen, not merely what occurs within our own limits, but all that may be described in any land, for the benefit of our fellow-citizens and contemporaries. Our readers need not the information, that the largest space in our volumes has been afforded to the survey of home productions.

We are not the less American, because we pause at times to view the gigantic literary structures of the mother country; which we can no more emulate than her minsters and abbeys. In neither case do we hold them up as unexceptionable models, while we affect no concealment of our admiration. The academical systems of Europe had their origin in a state of society which no changes can reproduce in America, and it would be the height of folly to imitate them without modifications corresponding to the age and country in which we live.

It is sometimes refreshing to turn aside from the discussion of vexed questions, and the castigation of pseudo-poetical effusions, to specimens of genuine literature, such as these beautiful volumes present. The source from which they emanate, secures attention. We revert to these ancient seats of English learning, with something of the devotion with which the pilgrim salutes a venerable shrine, and can, for the moment, forgive the abuses of monachism, for the sake of the enthusiasm which burned in the religious sodalities, when all the western world was darkness. In America we have nothing which resembles the corporations of the British universities. In the latter, there is a more entire sequestration of learning and its votaries, from all that is secular, than in any Protestant institutions of the world. The municipal authority and immunities, the traditional usages and garb, the antique piles, the libraries, the cloistered seclusion—all conspire to give an individuality, an independence, and a grandeur, which we may be pardoned for finding impressive in no ordinary degree. The very largeness of the plan fills the mind, and we

but whether there has ever been presented in the literary world a more imposing spectacle, than the assembled throng and solemnities annually exhibited at the Acts of Oxford, and Commencements of Cambridge.

The university of Oxford has acquired the reputation of classic science, as the sister university has been renowned in the exact sciences. This must be conceded, notwithstanding the striking exception in the cases of Bentley and Porson, who were both Cantabrigians. There was a time when Cambridge was noted for an exclusive patronage of mathematical and physical science, as was Oxford for a devotion equally partial to philology and literature. The zealous contention of the two great rivals gave origin to prodigious specimens of proficiency in their respective scholars, and each was supposed to travel beyond its proper limits, when it wandered into the precincts of the other. With the progress of liberal opinions, however, this exclusiveness has been broken down, and each of the national institutions has vindicated its eminence in both these fields of learning. The principles upon which the English scholar is now trained, may be examined in the essay of Mr. Ogilvie "On the union of classical with mathematical studies."*

The biography of German students presents us with few instances of that attachment to the *alma mater*, which glows with the fervour of a passion in the learned men of Great Britain. The Oxonian cannot but feel a peculiar complacency, in familiarity with the halls, and courts, and schools, which have harboured the genius, and witnessed the proficiency of Chaucer, and More, and Herbert, and Hooker, and Selden, and Addison, and Jonca.

The opinion may be hazarded, and will probably not be contradicted, that in no spot upon earth has literary emulation been so highly raised, and powerfully concentrated, as in the English universities. In addition to the contest between individual and individual, there are here called forth the rivalry of college with college, and the superadded strife of university with university. The focal point of so many burning rays must of necessity acquire an intensity of ardour, such as is seldom evinced elsewhere, and which it is not our business to vindicate. Many a youthful martyr has sunk at the altar of fame, and many a laggard thrown up the stake, and turned from the crown of learning, to the easier spoils of pleasure. The ambition of scholars has been urged with a new impulse, by the quickening influence of the prizes which are annually awarded to successful competitors, in various branches of literature; and the volumes before us, are some select fruits of this competition. They are, as might have been expected, spe-

* Vol. iii. p. 171.

cimens of that brilliant typography which characterizes the press of Oxford, and will be considered as highly valuable, by every man of taste. The reader's eye is at once caught by the names of some, who have since become known to the world as ornaments of the bar, the bench, the cabinet, and the church; and the endeavour is spontaneously made to discern how far the known and distinguishing traits of these eminent minds are discernible in their youthful compositions. There will certainly be some disappointment as to the issue of this investigation; and, indeed, we need not be surprised to find that the great distinctive lines of character and genius, are less strongly marked at this earlier period of life, than in later times, when their prominent points have been brought out by new circumstances, and the mature mind disenthralled from the powerful and equalizing pressure of university discipline. To take our illustration from a lower walk in the field of letters—every one must have remarked that the early attempts of school-boys at composition are, with a few signal exceptions, remarkably alike. It is by slow degrees, that these parallel or coincident lines of thought divaricate, so as to exhibit the endless varieties, which are observed in the literary productions, no less than in the countenances of mankind.

The Oxford Prize Essays have a certain family likeness, which cannot escape the notice of the most desultory reader. It would be unjust to say that they all proceed from the same mould, for the subjects, the style, the mode of illustration, and comparative merit, distinctly mark each of them. But the resemblance of one to the other may be compared to that which obtains among paintings of the same era, and the same great school. They are productions which receive a common stamp from the peculiar conditions under which they were produced; the place, the discipline, the motive, the judges, the age of the writers, are the elements from which this result is to be calculated. They are productions which could have proceeded from none but classic pens, under the moulding impressions of a classic atmosphere.

These Essays, as their title imports, were written in hope of a literary premium. Besides the competition in Latin and English verse, and in Latin prose, there is a distinction annually conferred on those who are most successful in English prose. The collection here presented to the public contains forty-five of these prize compositions. The question is interesting, and appropriate to the present discussion, how far the prize system may be supposed to exercise a beneficial influence upon composition. Voltaire was accustomed to say, that one should write as if in the presence of his audience and his judges. Upon this remark we may observe, in passing, that its author must have practised upon it with some grains of allowance—either merging his judges in his audience, or selecting as his imagined critics those whose

frowns would least repress the freedom of his speculation, and the restiveness of his caprice.

The general result of the inquiry which we have suggested, seems to be, that while a prize essay gains in terseness, elegance, and perspicuity, it must lose in vivid impression, independent vigour, and native grace. The adage of Horace is pregnant with meaning, that the choice of a subject is the cardinal point in every literary attempt :

—— cui lecta potenter erit res
Nec facundia deseret hunc, nec lucidus ordo.

An unavoidable formality attends the constrained labours of a mind which is tasked, especially in the outset of the work. We have observed, or fancied, that unless where a writer plunges at once *in medias res*, the introductory passages of most compositions are commonplaces. These earliest endeavours are, for the most part, merely tentative; the "first runnings" should be thrown away. They are like the preliminary flourishes of a swordsman, or the trivial dashes of the scribe who makes trial of his pen. Might not the first sentence in a great majority of cases be expunged without detriment? A capital amputation of this kind would be a happy process for many discourses, dissertations, and sermons—not to mention literary reviews and speeches in Congress. We might, for example, take many instances from the work in hand, in which the second period is the true beginning.

Not every genius can expand itself over a given field, or hem itself within given boundaries. He who writes upon a prescribed theme, works in trammels, and loses that delightful spontaneity which ensures freshness and grace, while it encourages boldness of invention. It is easy to imagine the phase of mind into which even a true genius passes, when the scholar tasks his inventive faculty to find—not that which has been previously evolved in meditation, nor that which answers his own consciousness of power, nor that which falls in with the animated and glowing current of prepossession—but that which is bounded by the inflexible parallels of a given topic. There is, undoubtedly, an acuteness which comes into play even here, and an advantage flowing from this limitation of the field of view; just as the mathematician is directed by a given equation in the discovery of a new curve; yet the exercise is hampered by the unfavourable condition of restraint.

There may be numerous cases, however, in which the prize subject may, by elective affinity, educe from the mass of competitors one who finds a theme precisely adapted to his capacity and his predilections; so that we have the further question—how far the reference to certain judges, and a given reward, may be supposed to influence the youthful aspirant. The motive is here

obviously different from that of the independent writer. The hope of a reward is a powerful stimulant, but it makes its appeal to a set of feelings which are not the most favourable to the development of manly energies. Like the hired mourners of Roman funerals, the essayist is tempted to personate his character with expressions not altogether true to nature:—

Ut qui conducti plorant in funere, dicunt
Et faciunt propè plura dolentibus ex animo.—

The effects of this constraint are visible in the very cool and didactic character of these productions. There is a total absence of any thing allied to wit or humour. The reader is awakened by no touches of native sprightliness, nothing to relieve the somewhat tedious level of correct and judicious argument. The reason is obvious; no man can be witty upon compulsion. Even satirical pungency demands a freedom of mind wholly incompatible with the practised gait of the prize writer. The eccentricity which reveals itself in the voluntary effusions of some men of genius, is chastised into submissive regularity by the motives in such a case. What we here observe, therefore, of recreation to the mind, is derived, not from native springs of talent, but from the careful selection and adroit adaptation of ancient incident and wisdom. Where the whole is prepared with reference to an austere tribunal, every thing will be sacrificed to correctness. This is an evil incidental to the system, and is not without accompanying advantages. The exuberance of juvenile fancy demands the pruning operation, and we may afford to sacrifice much, in such a case, for the sake of an effectual stimulus to the *limæ labor*. To such influences we owe the elegance of this work, which contains nothing vapid or trivial, nothing swelling or affected, nothing which could suggest a scruple to the most fastidious taste. At the same time, we cannot but believe, that when the inquest of a company of hoary critics is perpetually hanging in *terrorem* before the mind, many a fine thought must be disturbed in the conception, and many an opening track of brightness be closed by the fear of a repulse. The warm gush of feeling is chilled into a servile correctness, and the erratic illustration is rejected, from dread of the impracticable tribunal. Of all this we discern manifest traces in these elegant compositions. They are chaste, refined, scrupulously exact, sometimes ingenious, always sensible, free from paradox of sentiment and the glare of false taste; yet they are occasionally jejune, frequently wearisome, and always cold. The reader feels at once that he is brought to an immeasurable remove from the domains of the romantic school; and this is remarkably the case in the effusions even of those who have since distinguished themselves in the more florid style. In later years, for instance, Wilson has become flowing and discursive, and Heber has opened a fountain of rich and creative genius.

So much of this change as is not referable to the advancement of mental power, must be attributed to the disembarassment from literary restraint.

It is not easy for us to pass by the occasion here offered, of considering classical training in its relation to good writing. We spare our readers a laboured exercitation of this kind, and shall content ourselves with a few transient remarks. There are scarcely any who need to be informed that the method in which the business of teaching the languages is conducted in America, differs greatly from that of the English grammar-schools. We say the grammar-schools—because it is in these institutions that the great achievement is made. It is not necessary for our purpose, that we should uphold the protracted analysis, the minute criticisms, the nonsense verses, or other petty details, which distinguish the methods of Eton or Westminster; yet no friend of philological science, can fail to be alarmed at the extreme of laxity towards which we are verging. In order to remove all the asperities of the way, and shorten the road to classic reputation, superficial instructors are encouraging the delusive hope of becoming scholars by means of interlineary translations, and similar expedients, to the neglect of grammatical labours. In addition to this, various collectanea, issuing principally from Scotland, are introduced, not only to beginners, but even to the students of colleges; the only tendency of which is to raise a generation of smatterers. It is not by small patches of fine writing from Homer, Sophocles, Xenophon, and the rest, that the scholar can be made familiar with the powers of a language, or the style of any one author. It is not such skimmings of literature which can make a Scaliger, a Casaubon, a Porson, or a Blomfield. May we not hope that ripe scholars, such as our Anthon, Lindsleys, and Pickerings, will set their faces against practices so much to the detriment of sound learning?

We hold ourselves subject to correction, if we say untruly, that in some quarters it is becoming unfashionable to be versed in the mysteries of ancient erudition. This, we are told, is the “age of action;” and in the “march of mind,” these hoary monuments must be left far in the rear. No one, it is true, can repress a smile at the exposure made by Knox of the pedantic formalities, which, in his day, more than at present, were cherished at Oxford—the *doing generals*, and *juraments*; *doing rustins* and *quodlibets*, and *answering under-bachelor*; we even laugh at the solemn importance of doctors and proctors, “with all the heads of colleges and halls in solemn procession, with their velvet sleeves, scarlet gowns, hoods, black, red, and purple”—but after all, these are no more than the harmless excrescences of an antiquated system, which are easily lopped off without any injury to its vital parts. Every lawyer is aware, that

in legal fictions, and the technicalities of pleading, there is much which is ridiculous; while he is no less disposed to regard with veneration the great structure of English jurisprudence. In America, we may have the thorough discipline, without the superfluous appendages of classical education; and unless the improvements of the day be guided by a wise caution, we are in danger of being overrun with a host of literary charlatans, or rather unlettered authors, exemplifying all that is barbarous in language and bombastic in style.

The manner of writing exemplified in these volumes, is, without exception, chaste and simple; the language is pure, unaffected English; as free from the grandiloquence of foreign terms, as from the extravagance of new compounds and ungraceful modernisms. It has constantly been maintained by the advocates of classical learning, that by its aid, and in no other way so successfully, elegance in composition can be cultivated—and as constantly rejoined by the school of anti-classics, that English literature is self-sufficient, and that from the dead languages, we can receive nothing but sesquipedalian terms and foreign idioms. The laboured style of Johnson has been triumphantly instanced. Now, as a case in point, we hold forth these volumes, emanating as they do from a source where classic ardour has been carried to its height—the productions of those who at the very time were probably engaged in these pursuits—and constructed with reference to the award of judges, in whose eyes nothing unclassic can find grace. We hold forth these volumes, and challenge objectors to cull from them even a stray instance of that latinized language, stilted pomp, and involved structure, which are alleged to be the necessary results of the old system of education.

Pedantry is not the offspring of genuine learning. It is the half-learned writer who ekes out his meagre sentiment and imperfect discipline with the resonance of an ambitious style, and the cumbrous load of needless quotation. Some of the most remarkable examples of unadulterate English, are to be found in the works of those who had availed themselves of all the aids of academical research. It is scarcely necessary to recall the names of Tillotson, Addison, Butler, Paley, and Fox. The classical scholar is not a mere imitator of words and phrases. His daily toils lead him to the comparison of idiom with idiom, and thus to the detection of the secret principles of his own language. Let it be observed, that the genuine classic venerates the established peculiarities of his own tongue; and holds it to be erroneous to resolve all the idioms of one language into such terms and constructions as would be equally intelligible to a foreigner, if literally translated. This is the error of some distinguished philosophers, and of Dugald Stewart among the rest; but its obvious tendency is to dilute the strength of our native diction. However

nearly this may be supposed to approach a philosophical method, the effect is always enfeebling. It is in the ancient idioms of every people that the force of expression resides; any reader must be convinced, who is familiar with the German works of Goethe, or the writings of Swift, Warburton, and Paley.

If purity of language is sought, we believe that no means can be more worthy of reliance than sedulous investigation of general grammar in its highest accessible sources. Nothing surely can betray a more entire ignorance of the subject, than the supposition that the accomplished linguist will be disposed to corrupt the purity of our idiom, by engrafting upon it the forms of an antiquated tongue. The process by which rhetorical skill is promoted in this school of literature, is very different. To dwell on a single point, as illustrated by these essays, among other eminent specimens, the student of languages is enabled to increase, at every step of his progress, that *copia fandi*, which is as indispensable in easy composition, as it is in effective eloquence. This may be observed in the school-boy of the lowest form. Before he can translate any word or sentence, it is necessary for him to summon before his mind a number of English expressions, varying only by slight shades of signification, and from this mass to select those which exactly correspond to the original. In the earlier stages, indeed, these attempts of the learner are exceedingly rude; yet it is obvious, not only that precision in the use of words is attained, but that by the continual repetition of the same exercise for years, the memory is enriched with a fund of words, clearly understood, and stored away from prompt use. Thus the same discipline which cultivates delicacy and correctness of taste, furnishes the youthful writer with those weapons upon which he is to rely through life. We are induced to make these observations, by the remarkable wealth and plenitude of expression which characterizes a number of these compositions, and that quality of chastened luxuriance which is at a vast remove from the unbridled license of a certain school in America. There is a copiousness in Thomas Moore and Bulwer; but how different from that which charms us in the works of Mackintosh and Jeffrey?

There is a certain measured pomp observable in the writings even of justly celebrated authors, which, however characteristic or ingenious, cannot be justified on sound rhetorical principles. It is a sacrifice of simplicity to euphony, and bears an analogy to the massive decorations of Gothic architecture, in which we forgive what is redundant, for the sake of its finished elegance. This may be the fault even of great minds, but it flows rather from peculiarities of the individual, than from the classical discipline. The happiest specimens of this gorgeous style, may be found in the productions of Johnson, Gibbon, and Parr. Upon

this subject we find a striking remark of Dr. Whately, in his *Elements of Criticism*,—a work which deserves to be better known in this country. “Sentences, which might have been expressed as simple ones, are expanded into complex ones by the addition of clauses which add nothing to the sense; and which have been compared to the false handles and key-holes, with which furniture is decorated, that serve no other purpose than to *correspond to the real ones*. Much of Dr. Johnson’s writing is chargeable with this fault.” The style of Dr. Whately, both in his prize essay, and in the elegant production which we have quoted, may be instanced as remarkably free from any blemish of this kind, and at the same time exempt from the opposite fault of colloquial looseness. The latter is the extreme of such as mistake the vulgar for the simple. “*La source d’un défaut si commun*,” says Voltaire, “vient, ce me semble, du reproche de pédantisme qu’on a fait long-tems et justement aux auteurs : *in vitium ducit culpæ fuga*. On a tant répété qu’on doit écrire du ton de la bonne compagnie, que les auteurs les plus sérieux sont devenus plaisans, et pour être de *bonne compagnie* avec leurs lecteurs, ont dit des choses de très-mauvaise compagnie.”

The subject of classical education is one of no small interest, with reference to the American people. It is known to all our readers, that the public mind has been thrown into a ferment by certain experimenters, who are aiming at the excision of this whole branch of study. It is therefore in the highest degree important, that instructors of youth should amicably meet upon the safe and established ground, that the study of language in general, and of the Greek and Roman reliques in particular, has a direct and most happy influence upon our national literature. It is thus that the knowledge of universal grammar is to be promoted; that perversions of language are to be rectified; that the idioms of our own tongue are to be compared and estimated; and that genuine taste is to be developed.

In treating the work under examination as a happy result of classical education, and thus giving our decided suffrage in favour of the latter, we shall have to cry the mercy of those who persuade themselves that the whole system tends to inculcate a servile imitation, and to paralyse the powers of native genius. A prejudice of this kind might with justice be attributed to an indolence which will not attempt, or an ignorance which cannot master the difficulties of the subject. But we may fairly meet the objection, and ask why it is, that in other departments of science and art, the same effect is not feared. It has never yet, to our knowledge, been dreamed, that Michael Angelo, or Canova, or Thorwaldsen, deadened their original powers of invention by studying for years the works of ancient masters. True genius displays its might in selecting and remoulding those great ideas

which spring up in a mind fertilized by the attainments of its predecessors. There cannot be a more egregious mistake, than the supposition that originality of conception is best secured by an ignorance of the thoughts of others. Upon this whole subject, there are prevalent errors, some of which are ably touched in the remarks which follow :

"It was not the praise, indeed, but the misfortune of the last century, to have abounded in one class of original thinkers, whose claims were founded in a certain affectation of singularity, in a gratuitous contempt of all correct opinion and traditional knowledge, in a designed aberration from that one only reasonable style of writing, which is obvious to plain understandings, and is at once the admiration of the vulgar and the wise. To this they added a most entire reliance on their own understandings, and something little short of a deification of human intellect. Hence they indulged in all sorts of fanciful theories and refined speculations, theories the most strange and unnatural, materialism and idealism, 'urging and invoking their own spirits to give oracles unto them, whereby they were deservedly deluded;' searching for truth, not in the wide circumference of God's world without, but in the narrow circle of their own little worlds within; setting up reason in opposition to authority, and to the general voice of mankind. Whereas the highest result of human reason, the noblest attribute of a mind truly enlightened, and we may add truly original, is a respect for authority; not that blind respect which forbids the questioning of traditional error, but a respect tempered with wisdom. Genuine originality is the offspring of a mind naturally sagacious; informed, and impregnated with various knowledge. Reason, untaught by authority, and unchastised by observation and experience, is quite inadequate to the discovery of any thing which it is desirable to know. Yet it is too common to mistake the wanderings of a fanciful mind for the dictates of an original spirit; whereas, of genuine originality, the very essence is truth; to deviate from which is not to invent, but to err. Here lay the great mistake of Berkley, and Bolingbroke, and Warburton, and such was the wilfulness of Hume. How much of the error of these intellectualists, the eccentricity of these paradoxical writers, might be traced to that spirit of speculative philosophy and metaphysical science, to which the writings of Locke had given esteem, it would detain us too long, and it would be beside our purpose to inquire."—*Burdon's Essay*, Vol. iii. p. 96.

It is not enough for the adverse argument, to point to a Shakespeare in one department, and a Franklin in another. While we bow before these great names, we desire it to be demonstrated that the scholar is unfitted by his erudition for masculine and spontaneous efforts—that Descartes, Newton, or Laplace, were less prepared for great discoveries by profound acquaintance with the discoveries of others. Or, to return to our proper subject, it may be asked whether the poet can lose any of his flame by contact with the fires of Homer and Æschylus. Was Milton destitute of original force and creative energy? Yet he lived in the world of ancient lore. This must be shown, before our position can be successfully assailed. Was the unprecedented and vigorous flight of Bacon, the lofty and imaginative career of Burke, or the powerful and brilliant flow of eloquence in Canning, impeded by their acknowledged familiarity with the great examples of Greece and Rome? Or, were not these ornaments of their respective ages, rather excited, directed, and sustained in their

or immaterial." By following Dr. Robertson, he has linked together a number of charges, every one of which is questionable, if not false. To these names we ought to add those of A. Robertson, Savilian Professor of Astronomy; C. H. Hall, Regius Professor of Divinity, Dean of Christ Church, and Dean of Durham; J. Phillimore, Professor of Civil Law; and R. Whately, Principal of Alban Hall, and since Archbishop of Dublin.*

If we were called upon to designate those essays which strike us as being most worthy of preservation, and indicative of accomplished genius, we should point to those of Mr. Keble,† "On translation from dead languages;" Mr. Churton, "On the eras of Pericles and Augustus;" Mr. Barker, "On the use of history;" Mr. Milman, "On Sculpture;" and Lord Chief Justice Tenterden, "On Satire." By way of specimen, it may be permitted to us to dwell for a short time upon the last mentioned production.

After a comprehensive sketch of satiric composition in its early history, and its gradual increase with the progress of refinement, the author divides its various kinds into personal, political, moral, and critical. Personal satire is vindicated, in its reference to the names of those whose vices or follies, either immediately or remotely, are injurious to society. The freedom of personal attack which gave birth to the old comedy, reminds us of the independence of our own periodical press, and the remarks on its use and abuse are alike applicable to both species of composition. The abuse occurs in one, as in the other, when the subject is improperly chosen, when the manner is unsuitable to the subject, and when it proceeds from private animosity. Political satire stands in a similar predicament; and such sentiments as the following, will be universally acknowledged in America:—

"It is only by the exercise of political satire, that the spirit of jealousy necessary to the support of all mixed governments can be excited, and the general establishment of the constitution protected and maintained. The frequency also of those occasional errors to which the administration of every state is subject, will be diminished by the fear of that ridicule which is able both to repel the attacks of violence, and expose the artifices of faction."

The danger of such invective as lessens the supreme authority, or promotes national division, is frankly acknowledged. Moral satire is in like manner represented as necessary to expose error, folly, and vice; and as deleterious when made the test of truth,

* We subjoin the names of those writers whom we have not mentioned in the text. J. Grattan, T. Lowth, C. Barker, H. Blackstone, W. Benwell, G. Richards, W. E. Taunton, H. Phillpotts, Samuel Street, John Bartlam, E. Rudd, E. G. Marsh, C. Grey, C. P. Burney, W. Atfield, R. Burdon, Thomas Arnold, J. L. Adolphus, S. Rickards, A. Macdonnell, W. A. Shirley, C. J. Plumer, W. E. Churton, G. Moberly, F. Oakeley, William Sewell.

† This gentleman, as we learn from another source, enjoyed the distinguished honour of having adjudged to him, in the same year, the chancellor's prize for the Latin essay on the subject—"Xenophontis res bellicas, quibus ipse interfuit, narrantis, cum Cesare comparatio."

or tending to weaken the social affections. But it is upon the subject of critical satire, that Mr. Abbott handles his topic with greatest vigour. We would that the sensitive abettors of false taste, who treat a criticism as an injury, and a keen exposure as an assault, might profit by the sensible, if not self-evident, remarks of the essayist.

"Critical as well as moral truth can seldom be perfectly established, unless the absurdity of error be exposed by ridicule. To develop the latent arts of composition, and by showing their conformity with the principles of human nature, to erect taste on the basis of science, is the work of philosophy alone. But scientific arrangements are little calculated for general use; while, therefore, the rhetorician exerts his eloquence to ravish and transport the mind, by displaying the successful efforts of genius, the satirist, on the contrary, employs his wit to detect errors and discountenance absurdities, and thus provoke his audience to aversion or contempt. And since false opinions must necessarily be extirpated before just ideas can be introduced, satirical criticism will always, in point of popular instruction at least, be prior to philosophic. The turgid, the gross, and the unnatural must be despised, before the sublime, the witty, or the beautiful can be truly relished. So that while satire appears to be confined to the lower objects of criticism, it contributes in an eminent degree to the promotion of the highest: and prepares the understanding for those refined and elevated sensations, which the perfect comprehension of excellence can alone produce."—Vol. i. p. 312.

These are seasonable remarks, although an enlightened public needs no prompter to enforce the maxim, that literary productions are to be judged upon their own merits. The imputation of personality and malice has been the rejoinder of disappointed authorship ever since the dawn of public criticism. It is not by the choleric spasms of a single coterie that the critical press is to be diverted from its impartial award; and no one will be misled, if in default of other proofs of inspiration, splenetic writers display their anger as entitling them to rank among the *irritable race of bards*. Every part of this subject is well treated by Mr. Abbott, in that unostentatious and transparent style which adds dignity to solid argument.

The themes assigned, are, in a number of instances, such as afford strong temptations to commonplace writing; and we may easily imagine the chagrin of a vivacious mind, when bound down to such topics as "Liberty," "Popularity," "The Crusades," "Influence of the Drama," "Love of Country." A wider range is afforded by such subjects as "The connexion between Intellectual and Moral Evidence," "Hereditary Rank," "The influence of a religious principle." The essay upon "The English Literature of the seventeenth and eighteenth centuries," by Mr. Burdon, evinces a familiar acquaintance with the authors of his country, and a discriminating estimate of their respective merits; an accomplishment not always found in connexion with ancient erudition. Other subjects open a fine scope for the evolution of refined literature and good taste. Such, are the following—"The domestic virtues of the Greeks and Ro-

mans, compared with those of the most refined states of Europe"—“The characteristic differences of Greek and Latin poetry”—“What are the arts in the cultivation of which the moderns have been less successful than the ancients!” In these, and all that pertain to letters or æsthetics, more freedom, ability, and consciousness of strength are displayed, than in any of the rest. Here, every allusion to the ancients is appropriate; whereas, we are less gratified with observing the maxims, and hackneyed anecdotes of the classics, obtruded upon us in the ethical and political treatises. From the prize essay of 1804, by Mr. Hendy, “On the importance of classical culture in the ministry,” we are almost tempted to make copious selections. There are few things more to be deprecated by our country, than an unlettered clergy; and should this evil prevail, fanatical excess must be the consequence. A single paragraph we cannot forbear to cite, as a text for profound meditation:

“From the view which has been taken of ancient learning in its subserviency to theological studies, it has appeared that the general effects thereby produced on the mind, are peculiarly adapted to prepare it for these serious inquiries. We have seen that the sacred volume which contains the truths of revelation, is studied more effectually, and with greater interest, by those who are most accurately acquainted with the Greek language, and most profoundly skilled in ancient literature. We have seen also, that the mythology, the history, the philosophical and ethical opinions of the ancients, illustrate and confirm the true religion: and in order to obviate the cavils with which classical learning has been attacked, we have called upon experience to show that its influence on theology has ever produced the happiest effects. By exhibiting steadily and precisely to the mind the relation which the different departments of classical learning bear to this their common object, they must prevent any inordinate attachment to these secondary pursuits; and while the literature of antiquity still bestows the gratifications and advantages which are more immediately its own, it derives new dignity and importance from its essential utility in those sublime studies which raise the mind of man to the Author of his being.”—Vol. ii. p. 266.

A different field of discussion is opened in the essays “On commerce,”—“The effects of distant colonization on the parent state,” and “On the power and stability of federative governments.” It is not from the penetralia of a university, that we await responses of great moment upon political questions, and no surprise should be occasioned by observing the bias of exclusive devotion to antiquity, if not the crudeness incident to academic shades. The essay “On federative governments,” by Mr. Denison, contains a disquisition upon the polity of the United States, and exhibits a creditable familiarity with our institutions, and a marked comity and amicable regard towards our nation; which are the more unexpected, as proceeding from that hot-bed of toryism, where even Sir Robert Peel was deemed too liberal. Although our limits forbid any ventilation of the questions suggested, we may observe, that predictions with respect to the want of permanent coherency in our government, do not come with the best grace from Great Britain, at this time of day. It must be gratifying

any American to notice that the politicians of that country only in predictions—that these have hitherto been falsified—that their bodings are suggested rather by the remotest of other systems, than any demonstrable faults in our

Nothing is easier than for an essayist to personate the seer, to stand evil, and to point to sinister auguries. Others have done so, and therefore, we must fall. However great the dangers of our republic may be, Mr. Denison has plainly mistaken them, mistaking the character of essential and pervading weakness, to which are local, temporary, and incidental. Even granting the reality, both of those which we feel, and those which others imagine, they are, at the worst, mere dangers—and danger is by no means synonymous with ruin. The cords which sustain us prove their strength, by resisting mighty concussions. Moments of agitation and peril often create the talent, and demand the sacrifices which they demand; and the height of folly does not lead to despair.

From these remarks, the transition is natural to the essay of Plumer, "On public spirit among the ancients"—the happy work of a youthful mind, imbued with the noblest principles of ancient republics, and unsophisticated by the contagion of modern affairs. Such sentences as these are worthy of perpetuity:

In instances of national public spirit, it may be observed, are, in all ages, of frequent occurrence; for it is seldom that our country can be fairly called upon to sacrifice its immediate interest for the good of mankind, nor is it often that nature is actuated by that spirit of rational desire, which public spirit implies, promoting the greatness of the state, in subordination to the general good. There is a glorious example of this exalted patriotism at the time of the Persian invasion; that time so auspicious for the display of the great and splendid spirit of Greece; when we no longer contemplate Greece divided against itself; Dorians struggling with Ionians, aristocratical with popular states; but the spirit of jealousy hushed by the cry of public danger, and one fraternal sentiment diffused throughout the whole. We then see Athens, in truth the eye and soul of Greece, leading the race of virtue, directing the counsels and animating the efforts of the inferior republics, and resigning to her inveterate foe the oft-contested post of honour and precedence. We see her yielding up her city, and her temple, and the things which Grecian vanity could most dearly prize, the shrines of her gods, and the habitations of her immortal ancestors, to the fury of the Persians, and after that retreating to her wooden walls to contend in behalf of cities that were not her own. This was genuine public spirit; for in the midst of this conduct we admire not only the personal valour of the Athenians, and their ardent love of their constitution, (although these are great separate themes for our encomium,) but their disinterested sacrifice of self for the sake of others, and their readiness to sink the remembrance of ancient injuries, in a zeal for the freedom, not of themselves or their friends only, but of their rivals and deadly enemies."—"Let those whose station and talents entitle them to assume command, pursue an enlightened policy, allaying the heats of faction, and making the ends of party, and the claims of personal friendship, subservient to the general good. Let them dare to be unfashionable and unpopular, if, by doing so, they can improve the political or moral condition of their fellow-countrymen. Let them countenance those institutions which conduce to the real utility of the state; those public charities which are the proudest monuments of national honour. And let them instil into all whom they may influence, by

precept or example, a reverence for established authority, and a scrupulous regard for the privileges both of individuals and of communities."—Vol. iv. pp. 51, 75.

It would be difficult to select any of these performances which is more exempt from the marks of formality and constraint, than that of Mr. Milman upon sculpture and painting. Our approbation is founded on no predilections derived from his more celebrated works in prose and poetry. That he is far above the ordinary level cannot be denied; yet we are not prepared to rank him among the great spirits of the age, and are constantly reminded in his productions of the evils arising from too scrupulous an adherence to the square and compass. Yet we regard this essay as an instance in which a prescribed subject has unsealed a fountain of living genius, taste, and learning, previously existing, and ready to burst forth at the touch. It forms a striking contrast to the general uniformity and frigid exactness of the Prize Essays. While, however, it is unlike the measured formality of the schools, it is equally remote from the license and tumid inanity of the fashionable style. In every sentence we discern a glow of feeling attempered by the sterner rules of art; and the opulence of a well furnished mind, regulated by the restrictions of logic. In other hands, the theme would have given occasion only for sober criticism; but falling in, as it happily did, with a congenial spirit, it has afforded a discourse animated with the warmth of genius, and the enthusiasm of *virtù*. The illustrations drawn from ancient reliques, and modern works of art, are not laid on like enamel, or the *purpureus pannus* of mere ornament, but are integral and inseparable portions of the work, well chosen for effect, and beautiful both in their intrinsic character, and their relation to the whole. The vindication of ideal beauty in sculpture and painting, can scarcely be surpassed in any equal number of words. A wise reserve, somewhat uncommon in a juvenile effusion, is maintained with regard to theories of taste. The influence of the heathen mythology upon the imitative arts, is traced with scholar-like precision and elegance; and the whole treatise presents an exhibition of genius, neither impatient of due restraint, nor overborne by a burden of learning. We make room for a detached paragraph.

"In spite of the cold philosophy and methodized senselessness of some, admiration is a lofty and pleasurable emotion of the soul. There is in man an innate tendency to the better, where emulation, and envy, its gross fellow-passion, cannot exist; he proudly claims kindred with what ennobles humanity, and considers himself adorned by what adorns his nature. The same feeling which exalts him whilst contemplating the mental powers of the warrior Alexander, or the philosopher Socrates, or the poet Homer, is alive to all the corporeal beauty of the Apollo or the Venus. The king, and the sage, and the bard, have indeed existed, but every thing supernatural is not consequently unnatural; and there is in the free range of imagination, no more extravagance in supposing the human form capable of such exquisite symmetry and beauty, than the human mind

of such energy and power. And, indeed, in man, as in the other works of creation, there is such a gradation and difference in form, such a superiority of one over another, that the imagination has no difficulty in supposing something superior to all. All, from Thersites up to an Achilles, between 'a Hecate and a Helen,' may exist in nature; and why not something more lofty than Achilles, more lovely than Helen? Moreover, as 'the proper study of mankind is man,' so the proper feelings of mankind are for man; and hence a beautiful form is, and reasonably ought to be, most admirable in his eyes. Human action interests him, human suffering affects him, and human beauty causes in him a complacent pride and noble delight. In mind and in body, human defect and weakness invariably produce in him a melancholy sensation; but there are so few forms which are perfect and in their full strength, that, to escape this melancholy, he gladly welcomes the pure and absolute models of the artist. In his works alone he beholds the bounty of the Creator undepraved and unimpaired by human infirmity, the admirable and the lovely of humanity, without the base and pitiful; and therefore does he stand before the object of his admiration, silent, absorbed, unconscious of all around. In the whole man, the mind alone is active, the body is forgotten; sometimes, indeed, it is unconsciously and mechanically disposed to throw itself into something like the attitude of the form before him; the sole sensation is a general one of overflowing fulness; his pulse beats, his heart heaves, his breath is suspended; but none of this is felt till the exertion approaches almost to pain. Not but that this ideal excellence is displayed in all its fulness by painting. The Angels and the Virgin in Raphael's Holy Family differ in no less degree from the faces and forms around us, than the 'Fawn without blemish,' or the Venus."—Vol. iii. p. 154.

A single additional quotation shall close our extracts; it is from an essay by Heber, on "The sense of Honour," which this polished scholar, since so justly celebrated and universally lamented, ably vindicates, sets in its true light, and proves to be consistent with the genuine maxims of religion. Simple and unambitious as the passage may appear, it is inserted by us as being perhaps the nearest approach to the artificial, (with the sole exception just noted,) which these volumes afford.

"To a religious sense, indeed, the very praises of a sense of honour must prove its inferiority. Excellent and noble as it sometimes appears, we can only give it credit as a useful secondary motive, a powerful human engine, which derives all its value from being employed in the cause of virtue. Even when well directed, there is always room to apprehend, that dignity may degenerate into punctiliousness, and honour into a selfish and lofty pride. Its direction is, however, of most importance; and when we consider that this must entirely depend on the desires or prejudices of those on whose opinion we form our own, we cannot expect in such local and variable laws, a steady criterion of right or wrong, or a code of general morality. As an auxiliary impulse it may be allowed, as a final object never. There are, it must not be forgotten, there are occasions, when the friendship of the world must be rejected and despised. In the mist and obscurity of our voyage, we may be allowed the aid of human inventions, and may steer our course by the timepiece or the compass; but let us not, as we value our safety, let us not forget to correct and regulate their imperfect authority, by a constant reference to those celestial lights, whose truth no man can impeach, and whose laws are the laws of eternity."—Vol. ii. p. 188.

From the fragmentary and heterogeneous character of this collection, it will not be perused with much avidity, by ordinary readers. Yet wherever there is true taste, it will be welcomed as containing elegant models. Here may be seen what can be accomplished in the elaboration of the richest materials, by the

most finished skill and assiduous toil. It would be difficult to select, within equal limits, a greater number of classic beauties, or more gratifying specimens of exquisite art. Here—as in fine pieces of sculpture—the polish is so complete, that while the work suggests the idea of immense labour, there remain no traces of the tool. In no discipline is the maxim—*ars est celare artem*, so surely taught as in the study of the classic remains. The ancient writers were ambitious to have it observed that their great productions had cost them the application of years. It was their affectation to have it supposed, even beyond the truth, that by incessant attention they had re-wrought and finished those works which they meant to be immortal. The moderns, as has been observed by Lord Shaftesbury, are no less solicitous to be considered as throwing off at a heat, and without erasure, the effusions of a rapid genius. If we mistake not, this is an error which proves too tempting to certain American writers. Were it only to correct such a mistake, we could wish that some such system as that to which we owe these essays, might be established in the United States.

In the preceding pages, we have, in more than a single place, alluded to the evil of constraint, which we suppose to adhere to this method of encouraging correctness and elegance in composition. We deem it just to add here, that this restrictive influence is observed chiefly, if not exclusively, in those essays which are prepared with special regard to a prize. But it is by no means to be overlooked, that the annual award of a premium has a wider range of operation, and tends to encourage assiduity, and cherish genius, among hundreds whose names never appear as actual competitors. In order to be placed in circumstances qualifying any one to enter upon this arena, there must be much preliminary exercise, daily employment of the pen, and indefatigable effort in the acquisition of mental accomplishments. No one, by a sudden resolution, or under the stress of a single stimulation, can rise to the character of a good writer. Composition, no less than painting or sculpture, is an art, the fruit of long practice: and the country which abounds with commanding rewards to those who excel, will not long want eminent authors. It matters little what these rewards may be; whether a wreath at annual festivals, the plaudits of an audience, the patronage of a Mæcenæ, or the medal of a university—competition will be set in motion, and the standard of public taste will be elevated. The hurried manner in which education is conducted in our country, and the increasing fondness for compendious methods, and a course of study falsely called *practical*,—the demand for talent at a premature stage of discipline, and the flattering invitation held out to opening genius in the various professions,—the relish for what is brilliant, uncommon, and inflated, and for

the pungency of invective or periodical satire; all these circumstances conspire to retard the progress of composition and eloquence. We are not prepared to offer any digested plan for remedying these evils; but if we may be suffered, with unfeigned hesitation, to recommend a method, we would suggest the expediency of a scheme which should hold out annual prizes to our youth. These should be made valuable by the dignity of the persons charged with the scrutiny and adjudication. They should not be confined to single institutions, but should call into the field of amicable contest, the rising talent of all our states. It is no uncommon thing for prizes to be awarded to men distinguished in the arts; and we are scarcely ready to grant that literature should be denied the aid of similar inducements. This might be a proper subject for discussion in the literary associations, conventions, and lyceums, which are rapidly spreading their influence among us. Until some such invocation of talent from its seclusion takes place, we cannot be aware of our literary resources.

Scholar and beggar, if we may believe Adam Smith, are synonymous expressions. This was not always the case;

Cura ducum, fuerant olim, regumque poetæ :
Præmiaque antiqui magna tulere chori.
Sanctæque majestas, et erat venerabile nomen
Vatibus, et larga sæpè dabantur opes.

Even though Otway and Chatterton may be extreme instances, it must be conceded, that the literary benefactors of a country seldom, as such, receive any reward for years of solitary labour. Why those who contribute so greatly to the recreation, advancement, and dignity of a people, should be suffered to languish in obscurity, it might be hard to show; yet we are not about to hazard a suggestion in behalf of their claims, further than to urge, upon acknowledged principles of national interest, the importance of eliciting latent genius by some honourable distinction. If popular illumination is conducive to national power, it is the part of a wise policy to remove restrictions from learning, to mitigate the taxes on the instruments of knowledge, and still further to make it reputable, in a far higher degree than it now is, to stand in the first rank of erudition, taste, and eloquence.

ART. VI.—BOUCHETTE'S BRITISH NORTH AMERICA.

- 1.—*The British Dominions in North America, or a Topographical and Statistical Description of the Provinces of Upper and Lower Canada, New-Brunswick, Nova Scotia, the Islands of Newfoundland, Prince Edward, and Cape Breton, including Considerations on Land granting, &c., &c.* By JOSEPH BOUCHETTE ESQR. *Surveyor General of Lower Canada, Lt. Col. C. M. &c. &c.* London: Longman & Co.: 2 vols. 4to.
- 2.—*Message from the President of the United States, transmitting the Correspondence between this Government, and that of Great Britain, on the subject of the claims of the two Governments to the Territory West of the Rocky Mountains.* Washington: 1828.

THE great extent of country whose description is the object of the work of Col. Bouchette, possesses much interest to every inhabitant of the United States. It forms our northern boundary throughout the whole breadth of the American continent; it is already partially, and will ere long be wholly occupied by a people of kindred tongue and cognate origin, but who from difference of habits and government, must be the rivals if not the enemies of our citizens; it is the possession of a power with which we have the most intimate relations in peace, and with which alone we have ever been engaged in any serious contest. Such are the titles of this subject to an attentive examination.

The author himself comes before us with claims even more imposing. A work offering recent information in relation to the British colonies from any competent hand, would be worthy of attention, particularly when it treats of those points in which the interests of the United States are concerned; but in addition, our author holds a high and responsible situation, has by virtue of it enjoyed enviable opportunities for observation, and now presents himself to the public under the direct patronage of the King of Great Britain, for to that personage the book is by permission dedicated. If not absolutely official, we may at least consider it as expressive of views that are indulged, if not fondly entertained by the British government. It is in this last point of view we shall hereafter see that it is momentous; for should the claims it sets up be seriously cherished by that power, they must ere long lead to serious discussions.

The British dominions in North America, are bounded on the south by the United States; on the west they extend to the Pacific and to territories claimed by the Russians; on the north they

are limited only by the impassable Frozen Ocean, and were at one time believed to reach even to the pole itself.

The title to this tract has its origin in the usual system of occupation exercised by civilized nations upon the territories of wandering savages; it is founded partly on the right of discovery, and partly on the cession of the nation that first exercised this right. It is useless, and indeed irrelevant at the present day to inquire, how far such a right is real or pretended; it is sufficient for us that it has been exercised by all the nations of Europe, who have at different epochs established themselves on our continent; and that it is fully recognised among them as a portion of international law. The aborigines may, indeed, well wonder when they hear that their hunting grounds have been the subject of contention between the nations of distant Europe, and that the right of possessing them has been conveyed by treaties in which they have had no voice. The savage may complain of such pretensions as unjust, but before the bar of civilized nations he will meet no redress, for all have been parties to the injustice, and have participated in its profits.

Under such titles Great Britain claims to possess one half of the North American continent, of which, however, but a small portion is occupied by settlements, and these comprise, when united, a population less than that of single states of our own confederacy. The residue is still wandered over rather than held, by tribes of Indians and Esquimaux, and bears no other mark of British sovereignty, than trading posts scattered at long intervals. Even here, however, the right of sovereignty has been exercised to the utmost; immense tracts have been granted by royal charters, and the jurisdiction over property and over life exerted without any reference to the rights of the aboriginal possessors. There is no pretension, however bold, to the hunting lands of Indian tribes, which is not acted upon by the British government; and even the rents solemnly guarantied as equivalents for the cession, have been diverted from their owners by force or by fraud.

The British territories in North America, lie between the parallels of $41^{\circ} 47'$ and 78° north latitude, and between the meridians of 52° and 141° west longitude. They are computed by Col. Bouchette, to comprise upwards of four millions of geographical square miles. Their extreme length, measured along the parallel of 49° , is about 3066 geographical miles; and their breadth from the southernmost point in Lake Erie to Smith's sound in the polar regions, is rather more than 2150. Of this region, about 700,000 square miles are covered by water, in which estimate, however, are included the great lakes of the St. Lawrence, through which the boundary of the United States passes, and divides them into nearly equal portions. Before the year 1791, this re-

gion was divided into three provincial governments, Quebec, Nova Scotia, and Newfoundland, besides the territories granted to the Hudson's Bay Company. Subsequently, the province of Quebec was divided into the provinces of Upper and Lower Canada; the government of New-Brunswick, created out of the province of Nova Scotia; and a separate legislature granted to the Island of St. John, or Prince Edward, lying in the Gulf of St. Lawrence. The first and most obvious division, however, is into the part which is colonized under established local governments, and that which is still wholly unsettled. The first of these parts covers a surface of no more than 500,000 square miles, or about an eighth of the whole, and is scantily occupied by less than a million and a half of people. This population, however, doubles itself in about sixteen years, and is thus increasing at such a rate as will soon render it dense in many of those portions to which the circumstances of the soil and climate must confine cultivation.

The trade of these colonies now employs annually 1800 sail of shipping, having a burthen of 470,000 tons, and navigated by 20,000 seamen. This navigation interest is cherished by the British government with the greatest care, and guarded with the greatest jealousy. If the old principles of the navigation act have been so far modified, that the benefit of the mother country is no longer alone cared for, and the ships of these colonies may now trade to all parts of the world, except when shut out by the monopoly of the East India Company; on the other hand, the entrance of shipping carrying other flags than the British is either wholly prevented, or so far restricted as to add to rather than interfere with the profits of the ship owners of these provinces. Thus the incidental privileges growing out of the right secured to the United States, of participating in the fisheries, are objects of complaint and jealousy; while the recent admission of American vessels into the ports of New-Brunswick, seems to be rather a scheme to trick us out of the West India trade, than a measure of open and liberal reciprocity. Into this trap our statesmen appear to have fallen, and the business of supplying the British islands, in which our shipping participated in more than an equal portion, by the intervention of the neutral islands, will probably be henceforth almost wholly carried on in British bottoms.

The regions that have not been settled under distinct local governments, are again to be distinguished into two portions. The first of these is included within the chartered limits of the Hudson's Bay Company; the other may be styled the North Western Territory, and extends from these limits and the head of Lake Superior, to the dominions of Russia and the Pacific Ocean.

"The treaty of Utrecht provided for the settlement of the boundaries of the

Hudson's Bay territory; but the measures adopted by the commissioners appointed in pursuance of the tenth article, appear to have little contributed to the removal of the doubts then subsisting on the subject. Referring to Mitchell's map, where the boundary purports to be laid down agreeably to that treaty, we find that the line commences at Cape Grimington, on the coast of Labrador; whence, running south-westerly, it passes to the south of Lake Mississin, and follows the height of land dividing the waters of the St. Lawrence from those flowing into James's bay. This map, including no part of the country east of the Lake of the Woods, leaves the principle it has established of the division of waters to be followed up, on more recent and comprehensive delineations of the country.

"Tracing the boundary on the author's geographical map of the British North American provinces, published in 1815, and upon Arrowsmith's maps of North America, which embrace the whole of the Indian territories, the divisions of highlands are found to pass at the sources of East Main, Rupert, Harricanaw, Otitibi, and Moose rivers, and the various branches of Albany, Severn, and Hill rivers; all of which disembody into Hudson's or James's bay, leaving the rivers on the opposite side, to descend to the St. Lawrence and the great lakes. Reaching the banks of Nelson's river, the ridge ceases to divide streams at their heads, and is traversed by the outlet of Lake Winnipeg; which receives from the southward the waters of the Red river, and discharges itself through Play Green lake and Nelson's river, into Hudson's bay. West of this river the highlands resume their former characteristic, and rise at the sources of Burntwood, Churchill, and Beaver rivers."

It might, therefore, appear to admit a question whether the Hudson's Bay Company are to be circumscribed by this range of heights, or to extend their limits beyond them, and include the whole of the vast basin of Lake Winnipeg. To this last they have asserted a claim, and conveyances under it were made to Lord Selkirk, who attempted to establish settlements within it. This attempt led to an actual war, carried on between him and the Canadian North West Company. The boundaries that include this claim of the Hudson's Bay Company are marked out, by a ridge that diverges from the height of land, described in the foregoing extract, near Lake St. Ann, at no great distance from Lake Superior, and divides the waters of the latter lake from those of Lake Winnipeg; it thence extends, winding around the sources of the Mississippi and the Red rivers, which are separated by it. This ridge next intervenes between the waters of the Assiniboin and Saskatchewan, and those of the Missouri, and extends to the Rocky Mountains. This boundary then follows these mountains for about three degrees, and diverges thence in a north-eastern direction, along the heights that divide the waters of the Saskatchewan from those of the Athabasca, until they unite with the range, described in the extract from the author, at the sources of Beaver river. The range of highlands then continues until it subsides on the southern shore of Lake Wollaston. This lake has two distinct outlets, discharging itself towards the Arctic Ocean on the one hand, and Hudson's bay on the other. We have already stated that the claim of the Hudson's Bay Company to the whole basin of Lake Winnipeg, led to a collision between them and another company of

British subjects. It is less generally known, that of the territory granted to Lord Selkirk, at least one-half is within the admitted limits of the United States; for the Red river has its sources in latitude 46° north; while the convention of October, 1818, makes the forty-ninth parallel the boundary between the possessions of the two nations. Even Pembina, the seat of Lord Selkirk's government, is south of this latter parallel.

Of the territories held or claimed by the Hudson's Bay Company, the whole of the peninsula of Labrador is characterized by our author as wild, bleak, and inhospitable; but between Albany fort and East Main factory, on the shore of James's bay, six great rivers, having courses of from two to three hundred miles, discharge themselves. Of the country on their banks our author expresses the following opinion:—

“Of the susceptibility of the soil, which these rivers and their several branches seem to fertilize, to yield agricultural produce, little is known, or can be collected from the information of the traders, whose whole attention appears to have been hitherto confined to the beaver, the buffalo, and the other savage inhabitants of these wilds; but considering the geographical situation of this country, between 49° and 53° north latitude, and its vast extent, it is natural to presume, and the accounts of the natives, as far as they go, justify the presumption, that a considerable portion of it must be more or less arable, and will be eventually submitted to the plough.”

The western shores of Hudson's bay seem to promise nothing to the agriculturist. Much of them is represented as flat and swampy, and covered with a growth of willows, poplar, larch, and spruce. This growth is, however, so scanty, and restores itself so slowly, that all the wood in the vicinity of York fort has disappeared, and the residents there are now compelled to seek fuel at a considerable distance.

The basin of Lake Winnipeg, and particularly the Red river country, present more favourable indications. The surface of the latter,

“Is generally level, presenting frequent expansive grassy plains, that yield subsistence to innumerable herds of buffalo. The aggregate of the soil is light, and inadequate to the growth of trees, either large or small; but the banks of the rivers often exhibit more promising alluvions, and have, when cultivated, produced very competent returns to the agriculturist.”

The North Western territory of the British, without the limits claimed by the Hudson's Bay Company, is distinguished, by natural boundaries, into three well defined portions. The first of these is the basin of the Great Slave lake. It extends from the limits claimed by the Hudson's Bay Company on the east and south, and to the Rocky Mountains on the west. Its northern boundaries are well defined by a range of hills that divide the waters of the Yellow-Knife, from those of the Coppermine river.

“This extensive tract may be considered as a valley, having its lowest region occupied by Slave lake, in which are united the waters of numerous large rivers, and their abundant tributaries, that descend to it from the verges of all parts of

the valley, from whence they have but one outlet by Mackenzie's river, which carries their waters to the Arctic seas. Slave lake itself exceeds either Ontario or Erie in magnitude, and Lake Athabasca, which is next to it in size, is 160 miles in length. There are besides an almost infinite number of smaller lakes."

The Athabasca country has long been celebrated for the richness and value of the furs it has supplied to the traders of the North-West Company.

North of the possessions of the Hudson's Bay Company, and of the basin of the Slave lake, we find a wide extent of country bounded by the Icy ocean, and through which the Coppermine and Mackenzie's rivers flow. This country is thus characterized by our author.

"As far as general terms may be applied to so large an extent of territory, it may be said, that its surface exhibits far more of the plain than of the mountain, that its hills never rise to very considerable heights, and that sterility is the predominant characteristic of its soil. The rivers that flow through it, are, for the most part, rapid, and the lakes frequent, and fantastic in their shapes. Of the limited variety of trees, the pine, the poplar, the willow, and the larch, are the most common. Lichens and mosses abundantly clothe the faces of some hills, or cover the surface of deep swamps: and the plains, consisting in some parts of dry flats or bottoms, and marshy meadows, and so frequently stony and utterly barren, are sometimes thinly covered with an arid grass, which yields a slender sustenance to the musk-ox and the rein-deer; the hills, crags, and cliffs, being the haunts of the black and white bear, and of the preying wolf.

"Such is the home of the Barbarian Esquimaux, whose country ranges from the base of the Rocky Mountains, and perhaps from the very shores of the Pacific, to the coasts of the Atlantic ocean, inhabiting, in his desultory and wandering mode of savage existence, the bleakest hyperborean regions of the globe."

The remaining territory of the British government lies on the western side of the Rocky Mountains. Our author chooses to include in it the whole territory claimed by the United States, and a part of that to which Russia asserts a right, as well as that to which the British nation has an undisputed title. The merits of this question of boundary we shall consider hereafter, and proceed here to the description of the country itself.

The coast that lies between Cape Blanco on the south, in latitude $42^{\circ} 50' N.$, and Mount St. Elias, in latitude $58^{\circ} 28' N.$, is broken and indented by deep arms of the sea. These leave extensive insulated tracts, and form numerous gulfs, straits, inlets, and sounds. The whole region west of the Rocky Mountains appears to have the same difference in climate from that of the eastern slope, which is remarked between the eastern and western shores of the old continent. At the mouth of the Columbia, in latitude $46^{\circ} 19' N.$, the thermometer, for a period of three years, was never known to fall below 0° , and never rose beyond 76° . These extremes are much nearer than those of the same latitude in Canada and New-England, and approximate to those of Belgium and Germany.

By far the greatest part of this region is occupied by the basin of the Columbia river. This is separated from the coast by a ridge

of mountains of no great height, through which that river makes its way; and the ramifications of its branches within this ridge, extend nearly as far as the extremes of latitude within which Colonel Bouchette has chosen to place the British claim. The principal branches of the Columbia are the Multnomah, Lewis', Okanagan, Spokane, Clark's, and M'Gillivray's rivers. Lewis' and Clark's rivers spread into numerous ramifications, and descend in rapid courses from the Rocky Mountains. The valley of the Columbia, unlike the opposite base of the Rocky Mountains, is covered with a thick growth of timber. The trees attain a prodigious size, and indicate a soil of great fertility.

To the north of the Columbia, and running nearly due south, in the space intervening between the shore and the heights that confine the basin of the Columbia, is to be found Fraser's river. This has three principal sources, one of which derives its waters from the Rocky Mountains; it falls into the Gulf of Georgia, and receives in its course the waters of many tributaries, the largest of which is Thomson's river.

Of the provinces settled under distinct local governments, we shall notice, in the first place, Upper Canada. This is separated from the lower province by the Ottawa river, and an arbitrary line, running in a direction N. W. and S. E. It is divided from the United States by the great lakes. It is naturally distinguished into two parts, one of the figure of a trapezoid, extending, of nearly uniform breadth, from the St. Lawrence to Lake Superior; the other a peninsula, formed by the Lakes Ontario, Erie, and Huron. The first of these portions is traversed, throughout its whole length, by an elevated ridge, dividing the waters that flow to the Ottawa, from those running to the lakes. To the south of this ridge the whole country may be considered as a portion of a great table land, extending to the Alleghany mountains; in this table land, Lake Ontario occupies a deep depressed cavity, and Lake Erie a shallow basin. This great table land rests throughout upon limestone, whose decomposition has produced a soil of the highest fertility. The eastern and northern portions of the province partake of the cold climate of Lower Canada, but the peninsula formed by the lakes has a temperature admirably fitted to the growth not only of grain, but of fruits, even of the more delicate descriptions. This is particularly the case in the neighbourhood of Detroit, where the peach, the nectarine, and the grape, succeed perfectly in the open air. The whole northern shore of Lake Erie, may, for salubrity of climate, fertility of soil, and variety of productions, rank with almost any portion of the temperate zones. It is, if possible, superior in these respects to the western district of the adjacent state of New-York. It is to this desirable region that the British government is now en-

deavouring to attract the emigration of the superabundant population of the empire. For this purpose a company has been formed, to which the tracts reserved for the support of the church and the government have been conveyed. These tracts, mixed in a definite proportion in all new grants, had opposed a formidable obstacle to the improvements of the province. They are now laid open to settlement, while the company has guarantied to the crown a large income, as an equivalent for the cession.

This province is now increasing rapidly in population and wealth; its agriculture is flourishing, and internal improvements are prosecuted by the government, by the Canada Company, and by private associations. Previous to 1783, no other settlements existed within its whole extent, but a few French colonies on the St. Lawrence, and in the vicinity of Detroit. In that year grants were first made to American loyalists by Lord Dorchester. In 1811 the population had reached 77,000; in 1824 it was 150,000; and in 1831 it probably amounted to 215,000.

The most important works of internal improvement are the Welland and Rideau canals. The former of these was undertaken, and has been executed, by an incorporated company. It consists of three sections, the middle of which is a part of the Welland river, and is ten miles in length; the other two sections are each sixteen miles in length, the one communicating with Lake Erie, the other with Lake Ontario. The difference in the level of these two lakes is 330 feet, and this is overcome by 37 locks. This canal is 56 feet wide at the surface, and 8½ feet deep. Its locks are 100 feet in length, and 22 in width, and will admit vessels of the burthen of 125 tons. Such are sufficiently large for the navigation of either lake; thus cargoes may be conveyed from either of them to the other, and therefore from Prescott, on the St. Lawrence, to the Sault St. Mary, and the extreme point of Lake Michigan.

* The Rideau canal commences at Kingston, and traversing the tract of country lying between the St. Lawrence and the falls of the Ottawa, strikes the latter river at the foot of the falls of the Chaudiere, and at a short distance above those of the Rideau, situated at the mouth of that river. It is one hundred and thirty-five miles long, and perfectly unique of its kind in America, and probably, in the world; being made up in its whole length by a chain of lakes, dams, and aqueducts, so connected by locks of large dimensions as to open a steam-boat navigation from Ontario to the Ottawa river. Rideau lake, which is about twenty-four miles long, is the grand summit level of the canal; it is 283 feet above the waters of the Ottawa on one side, and 154 above the surface of Lake Ontario on the other, requiring in the rise and fall, a total number of forty-seven locks, seventeen of which are on the Kingston side, and thirty between Rideau lake and the Ottawa. These locks were originally planned upon a scale to correspond with those of the La Chine canal, i. e. one hundred feet by twenty feet; but these dimensions were subsequently increased to 142 feet in length, by 33 in width, the depth of water being five feet. There are twenty dams on the whole route, constructed with remarkable solidity and skill, which, by the reflux of waters they produce, have strangely altered the natural appearance of the country. In several instances, a dam not more than twenty-four feet high,

and 180 feet wide, will throw the rapids and rivers into a still sheet above it, for more than twenty miles. The dams also back the waters up creeks, ravines, and valleys; and instead of making one canal, they form numerous canals of various ramifications, which will all tend greatly to the improvement of a very fertile country."

This canal has no outlet of equal magnitude to connect it with the navigable waters of the St. Lawrence. The Grenville canal, planned to improve the navigation of the Ottawa, and the La Chine canal at the rapids near Montreal, are both of very inferior dimensions. The great cost incurred in giving such magnificent proportions to the Rideau navigation, may be considered as in a great degree useless, until such direct communication be effected. When, however, it shall be completed, it will open the most magnificent internal navigation on the face of the earth.

It may be a matter of question, how far these internal improvements in the British dominions, will interfere with the trade of the city of New-York, and the profits of the great western canal of that state. There can be no doubt that the facilities afforded by the Canadian canals, when finished, for conveying goods in one and the same vessel, from the ports of the internal lakes, to those of the ocean, must be a most important advantage in their favour. On the other hand, the difference in government must always present an obstacle to the free conveyance of American produce in that direction. In addition, the St. Lawrence has its mouth in a rigorous climate, and is closed by the ice for so long a period as to do away, in a very great degree, all the advantages derived from its being the direct outlet of the waters of the lakes, and the facilities afforded by the projected or executed canals. We are therefore inclined to conclude, that while these canals may be, in some cases, of value to the American shores of the great lake, as well as to the British, they will, in no material degree, divert the commerce that now centres in the harbour of New-York, and is conveyed by its canals.

The Rideau canal has been wholly executed by the British government. The views with which it was undertaken, were highly politic. The United States, under the rule adopted at the Congress of Vienna, in respect to the navigation of the Rhine, might claim as a right which has now become an admitted principle of international law, to have a free transit for the produce of the countries watered by the streams whose general outlet is the St. Lawrence, to the ocean. This is a right, which, however just in the abstract, there is little hope that the British government will concede without an equivalent. Now, it so happens that although the general channel by which the descending trade can pass the St. Lawrence, lies partly within the limits of both countries, so far as it is their line of demarcation; yet there is one place where an island, lying nearest to the American shore, and which has in consequence become a part of our territory, has

thrown the only navigable passage wholly within the limits of the United States. Now it cannot be doubted that our government has at least as good a right to refuse to British vessels a passage through this channel, wholly within our own territories, as that nation has to refuse to American vessels a passage to the sea. This question has been agitated; and it was principally with a view of preventing the effect of such a measure of retaliation, that the Rideau canal was projected. Now that it is finished, it would be wholly useless on our part to attempt to coerce the British government to grant the navigation of the St. Lawrence. In other respects, this canal was anticipated to be of value, as is thus pointed out by our author.

"Considered with relation to the defences of the country, the Rideau canal must appear of still greater moment, from the means it affords of forwarding to distant stations, with readiness and despatch, the munitions (we presume the Colonel means *munitions*) necessary to propel invasion, and protect the property and persons of his majesty's subjects in the colonies from foreign aggression. In a political point of view, its importance is equally conspicuous, since it must obviously tend to strengthen, and consolidate the Canadas, by promoting their commercial relations, and that interchange of mutual benefits that constitutes a permanent tie betwixt the various members of a state, and preserves for ages the integrity of empires."

The construction of the Rideau canal, under such views, is a fine illustration of "the liberal and enlightened policy of the British government," so lauded by Col. Bouchette in his preface, under the sanction too of an "able American statesman," who quotes the example of Great Britain, in illustration of the advantages to be derived from free trade.

The general features of Lower Canada, are thus described by our author.

"In viewing the divisions of Lower Canada, the St. Lawrence conspicuously presents itself as a leading figure in its physical geography, bisecting the province into two grand sections, the one lying to the north, the other to the south of its great river. Emerging from Upper Canada at Point au Baudet, it flows exclusively through the lower province, traversing in a north-easterly course, the great valley, which it drains in its broad career to the ocean. This valley is confined to the northward by a range of mountains commencing at Grenville on the Ottawa river, and stretching north-eastward across the country, as it passes at various distances from the banks of the St. Lawrence, from which it recedes at some places about forty miles, approaching at others within fifteen or twenty, until it strikes the river at Cape Torment, thirty miles below Quebec. From this spot the mountainous character of the shores of the St. Lawrence may be properly said to commence, and especially to the northward, where they consist of solid and abrupt hills, rising to a general elevation of 300 and 400 feet, and in some instances attaining an altitude of nearly 2,000. To the southward, the great valley is bounded by a range of hills situated about the source of the Connecticut river, and connecting to S. W. with the Green Mountains in the state of Vermont, and by them with the bold range of the Alleghanies, which forms the grand geological division between the waters of the Atlantic and those of the St. Lawrence. The mountains at the head of the Connecticut, in their progress northward, diverge into two ramifications or spurs, about the source of the St. John's river: one directing its course centrally through the country, nearly parallel

to the course of the St. Lawrence, and the shores of the sea ;* the other diverging more to the north, and extending along the St. Lawrence to its mouth.† Its distance from the borders of the river, varies from thirty to thirteen miles, until it actually subsides on its banks, and confines the bed of its waters. Seen from the northward, it has a distinct outline, but does not exhibit the appearance of a mountainous range when viewed from the southward, in consequence of the table elevation of the country on that side.

"Beyond the mountains that bound the valley of the St. Lawrence on the north, the common level of the land is marked by a very considerable table elevation above the surface of the river, and is traversed by several ridges of so very conspicuous altitude, till the bolder mountains rise to view, that bound the province to the north-west, and divide the waters of Hudson's Bay from those that descend in opposite courses to the St. Lawrence."

Such are the prominent features of Lower Canada. The wide part of the great valley, whose greatest breadth lies on the boundary along the forty-fifth degree of latitude, is fertile; much of it is cultivated, and thickly settled. As the valley narrows to the north, the soil becomes less fruitful, the climate more severe, and population less dense. The table land on the northern bank, was, until recently, almost unexplored, but is now known to present few temptations to settlement. The transverse valley of Ottawa, the northern bank of which is within the lower province, has a good soil; it is now beginning to attract attention, and is quickly settling. Upon the whole, the land fit for cultivation in this province, is small in extent, and much of it is already occupied. The population amounted, in 1825, to 450,000; and now, probably, exceeds half a million.

The produce of the greater part of Lower Canada is almost wholly agricultural. There are, however, many petty domestic manufactures, carried on by the females of the peasantry; and towards the mouth of the St. Lawrence, the fisheries become of great value, and furnish an important object of exportation.

Nova Scotia, in its present confined limits, is a peninsula connected with the main land of North America by an isthmus of no more than eight miles in width. Its extreme length is about 383 English miles; its greatest breadth about 104; and it contains upwards of nine millions of acres. The population, in 1827, was 125,000.

This province has its principal value as a British possession, in its numerous and excellent harbours. Of these, Halifax is the principal naval station of that government, on this side of the

* This part of the description seems purposely perplexed; the ridge in question extends due east and west to Mars Hill near the St. Johns, and lies, not only in accordance with American claims, but with the decision of the umpire, wholly within the United States.

† The very existence of this chain of mountains, is denied in the arguments on the part of Great Britain, in respect to the disputed boundary; and the surveys made on the part of our government, were so badly conducted as to have laid no evidence before the commission of its existence. Col. Bouchette's testimony is, however, conclusive.

Atlantic. Indeed, without the possession of this peninsula, it would be hardly possible for them to maintain a fleet in the American seas, or to preserve their other colonies from an enterprising enemy.

The soil is, in general, poor, and the agricultural productions of little value; but the fisheries are of much importance. It seems probable that it will hereafter rise to wealth and consequence, from the great abundance of its mineral products. Its gypsum has long been a great article of trade with the United States; coal has, within a few years, been worked and exported; and, in addition, copper, lead, and iron, particularly the latter, are known to abound. The inhabitants are, however, debarred from any present participation in these mineral riches, by the reservation of mines in the grants from the crown. These reservations have been converted into a monopoly by a grant of the reserved minerals to the late Duke of York, and a lease by him of the whole to Rundell, Bridge and Co. of London, for the term of sixty years. Under this grant, nothing more has been done than to open the collieries of Pictou.

The island of Cape Breton is included as a county under the same government as Nova Scotia. It is said to be of great fertility, and possesses most valuable mines of coal. Its extent is about one-fourth of the peninsula, and the population has about the same ratio. On this island was formerly situated the famous fortress and city of Louisburg, the key of the French possessions, while they retained a footing in America, as Halifax is at present, that of the British colonies. Of this city, once, probably, the most populous, and certainly the most splendid in the French possessions, no remnant is now left.

New-Brunswick, a part of the *Acadie* of the French, was separated from Nova Scotia, and erected into a separate province in 1784. Col. Bouchette thus describes this province:

"In common with every portion of those regions, the province enjoys that grand advantage and distinguishing feature, abundant irrigation and water communication; not a section of it but is traversed and intersected by almost innumerable streams, while the greater rivers form accessible channels of intercourse from its heart to its extremities, and into the adjacent provinces; and bounded on almost two-thirds of its circumference by the ocean, it invites the commerce of the world. Vast plains, principally covered by immense forests of timber trees, forming in the early stages of colonization an important article of commerce, and indicating the richness and fertility of the soil, occupy the intervals between the scattered settlements; while the prosperous and flourishing appearance of the latter, seem prodigal inducements to colonists to occupy the tracts of valuable land courting their acceptance."

"The general face of the country may be described as composed of bold undulations, sometimes swelling to the height of mountains, and again subsiding to vales and lowlands, principally covered by noble forests, not so dense as to be inaccessible, diversified by occasional swamps, and tracts of level, settled, and cultivated country. The banks of the large rivers, for the most part, disclose

a country of the latter description, though in some places they are enclosed by lofty and precipitous rocks; while the abundance of inferior streams produces frequent slips or spaces of what is called interval, which, overflowed by these during the wet season, become, at stated intervals, distinguished by extreme fertility. The borders of the rivers, and the islets with which they abound, furnishing extensive tracts of pasture, and flourishing crops of Indian and European corn, attest, on multitudinous chosen spots, the diligence of the husbandman, and the general adaptation of the soil to the most profitable uses of agriculture."

"The population of New-Brunswick bears no proportion to its vast extent; but the ratio of its increase advances rapidly; in 1817, the population of the province amounted to about 35,000; in 1824 it had increased to 74,176; and it is now estimated at upwards of 93,700."

Prince Edward's island is situated in the Gulf of St. Lawrence, in a bay formed by Cape Breton, Nova Scotia, and New-Brunswick. It has a figure resembling a crescent; is 135 miles long, and 34 wide, at its greatest breadth. It is indented with a great number of fine harbours, the surface is undulating, and the soil fertile. It differs in a most remarkable degree, in its climate, from the neighbouring countries, having a much higher mean temperature, and two months less winter than they have. In 1768, when this island was erected into a separate government, there were no more than 150 families settled upon it;—the population at the present moment may be estimated at 50,000.

Newfoundland is the last of the British possessions that remains to be described. It lies at the entrance of the Gulf of St. Lawrence, and is nearer to the old continent than any other part of America.

"Its circuit is not much short of one thousand miles; its width, at the very widest part, between Cape Ray and Cape Bonavista, is about three hundred miles; and its extreme length, from Cape Race to Griguet bay, about 419, measured on a curve. From the sea it has a wild and rugged appearance, which is any thing rather than inviting. Its interior has been very imperfectly explored, and is, therefore, but little understood. In 1823, a Mr. M'Cormack succeeded in traversing its breadth, from Conception bay, on its east, to St. George's, on its western side; and from his account, it appears that this district is much intersected by lakes and rivers, is poorly wooded, and has a barren and rocky soil. Newfoundland, in this respect, thus differs amazingly from the other American colonies, producing little timber but what is dwarf and stunted, except on the margins of bays and rivers, where spruce, birch, and poplar, sometimes grow to a considerable size."

Newfoundland was discovered by Cabot, and an attempt at settling it was made as early as the reign of Henry VIII., but without success. In 1579, a Captain Whitburn made a successful fishing adventure, which induced him to repeat his voyage; possession was then taken in the name of Queen Elizabeth, and the Portuguese, who had established themselves, were driven off. Under James I., Dr. Vaughan and the first Lord Baltimore obtained a grant of parts of the island, and the latter settled upon it, and

remained many years. Although settlements were made thus early, and portions of the country are not ill adapted for agriculture whose products would find a ready and lucrative market, the progress of the country has been continually checked by the want of a regular government and civil institutions.

"A constant opposition of interests and views seems to have existed amongst the inhabitants of that colony, and the merchants of this country [Great Britain] trading thither, and engaged in the fisheries; a collision, which, it is hoped, the advance of intelligence, and the increasing wealth, prosperity, and numerical force of the colony, will soften down into an enlightened and mutual effort to promote interests which are inevitably reciprocal.

"For a long series of years the colony existed merely as a fishing settlement, the fisheries being carried on entirely by merchants residing in Great Britain. These considered the small and insignificant number of planters resident in the colony, as persons by no means entitled to interfere with their interests, or dispute their pleasure; and, therefore, always resisted any measures for the amelioration of the situation of a body of people whom they treated as subservient to themselves; the increase of the population, however, now amounting to no less, probably, than 75,000 souls, and the advance of agriculture and commercial pursuits amongst the residents, render them entitled to be placed a little above the caprices of the body of traders, however the interests of the last, duly considered, are identified with those of the British empire at large. It is stoutly contended on behalf of the fisheries, that they are utterly incapable of submitting to any burthen, or contributing to any expensive form of government for the colony; and their vast importance as a nursery for British seamen, and a source of employment for British shipping, renders their situation a subject of anxious attention to the British legislature; which must, however, keep on its guard against the representation of that ruthless selfishness which is but too frequently the characteristic of those absorbed in commercial speculation."

To bring about a regular and orderly state of things, application has been made to the British government for the establishment of a local legislature. This has been resisted by those engaged in the fisheries, and our author appears to be of opinion, that the improvement of the island is retarded for the want of it.

"Since several merchants deeply engaged in the trade have settled here, (at St. John's, the capital,) and many industrious inhabitants have, by their consistent efforts, raised themselves to comparative wealth, and since the administration of justice has been placed on a more permanent and certain footing than formerly, the state of society has been rapidly advancing, and is now better than could be expected from a fishing station, the internal improvement of which has been so uniformly discouraged. The settlements continue almost continuously along the southern shore, as far as Fortune bay; and at most of the harbours there are places of worship. The settlement at George's bay, is perhaps more agricultural than any other on the island. There are here tracts of excellent land, with deep and fertile soils, covered in many places with heavy timber. Coal, limestone, and gypsum, abound in great plenty in this part of the island. At the heads of the bays, and along the rivers, there are many tracts of land formed of deposits washed from the hills; the soil of which tracts is of much the same quality as that of the savannahs in the interior of America. These lands might be converted into excellent meadows, and if drained to carry off the water, which covers them after the snows dissolve, they would yield excellent barley and oats."

We have seen, that the immediate interests of the inhabitants of Newfoundland, have been made to yield to those, real or fancied, of the persons engaged in the fisheries.

These "have, ever since the discovery of North America, been the theme of the particular solicitude, not of Great Britain alone, but of France, Spain, and Portugal, and subsequently of the United States of America; and have evidently been esteemed a subject of the utmost importance in the negotiation of all treaties involving the British, French, or American interests on the western side of the Atlantic. The first notice of these fisheries is in 1517, when about 50 French, Spanish, or Portuguese vessels were engaged in them, and but one by the English. In 1615, the English vessels had increased to 250, and those of other nations amounted to 400. In 1825, the tonnage employed in the trade between Great Britain and Newfoundland, was 43,600 tons; the number of vessels engaged in the fisheries, and in carrying the produce to foreign markets, is no where stated. The fisheries under the British flag reached their maximum in 1814, when the war with the United States gave that nation a complete monopoly; during that year the produce amounted to £2,873,528 sterling."

It is in reference to our own citizens that these fisheries attract the greatest degree of interest. By the treaty of 1783, in which the independence of the United States was recognised by Great Britain, they laid claim to a participation in the fisheries. This claim was in the highest degree equitable; for it is well known, that the cost of reducing the colonies of France, had been borne to an extent nearly equal to that of Great Britain, both in blood and treasure, by the inhabitants of the seaboard of the present United States. Purchased at such a cost, and forming an integral part of the entire empire, the plenipotentiaries of the United States maintained strenuously and successfully their right to an access to the shores of Newfoundland, and a share of its fisheries. They were in fact a joint property, to which, on the dissolution of the partnership, both parties had a claim, and this claim was admitted on the part of Great Britain. The convention of 1818, gives to the inhabitants of the United States, *for ever*, liberty to take fish upon the shores of the British possessions. This liberty is now an object of great jealousy on the part of the British, as will be seen from the following extract.

"It is evident, that with the exception of the mere ownership of the adjacent countries, the Americans are, as fully as Great Britain, participant in the direct and incidental advantages attached to those fisheries, viz., the prosecution of a lucrative trade, and the practical education of mariners. Possessed as Great Britain was of the surrounding fishing coasts, it was in her power to secure to herself the exclusive enjoyment of those immense aquatic sources of wealth and power; since the mere privileges of fishing on the banks, which might, without injury to herself, have been tolerated to foreigners, would have been of little avail without the right of using the shores of the adjacent territories and islands; and if it be asserted, that in the nature of things, the one privilege cannot be granted without the other, since the one is accessory to the enjoyment of the other, still we may say, that had the restrictions been far more circumscribed than they are, British subjects engaged in the fisheries would not be aggravated to the extent they now are, by the abuse of the privilege by American fishermen, who, relying on the latitude allowed them, are emboldened to acts of outrage against the more legitimate tenants of the shores, and assert a superiority which should belong to Great Britain alone, in that quarter. The exercise of the rights of the nations concerned in the Newfoundland fisheries, viz. England, France, and America, calls loudly for ulterior regulations; and we can only say, that such a measure is of vital importance to the preservation and future value of the fisheries."

It is impossible to guess at the species of regulations to which Col. Bouchette alludes, or to know whether he speaks from authority. It is easy to see that they would be of a very different character, if enacted by a local legislature, whose object would probably be to attract as many vessels as possible ; or if planned in Great Britain, for the purpose of securing a commercial monopoly.

The Island of Newfoundland was originally occupied by a tribe called Bæothics or Red Indians. These are now wholly extinct. The expedition of M'Cormack, of which we have spoken, was principally intended to seek out the survivors of this once powerful nation. In this he was accompanied by a Micmac, and an Abenaki. These individuals, of other tribes, joined in the expedition from the benevolent motive of aiding in the restoration of something like confidence, by which the unfortunate remnant might be literally preserved from perishing of want. To this it was exposed from having at last given up all attempts to seek food, in places exposed to the intrusion of the British hunters. These Indians had, when the island was first discovered, derived their subsistence in part from the chase, but principally from the rich supplies of fish furnished by the coast. From the latter they were mercilessly driven by the European visitors ; their boats, nets, and villages destroyed. For a time they endeavoured bravely to maintain rights to which they had an undoubted claim, and the exercise of which could hardly diminish in the least degree the profits of their oppressors. Foiled by superior force, they resorted to secret expeditions, to obtain by stealth from the stores of their enemies, what violence prevented them from seeking fairly for themselves. Watched in these, they were shot with as little ceremony as beasts of prey, whenever they were seen near any of the fishing stations. Reduced in number by violent death, and the diminution of their sources of subsistence, they secluded themselves in the interior. Even here they were not safe. The game of the island became in request for the furs it furnished ; and the hunters seem to have entered even with greater zest into the chase of the Indians, than into that of the beaver. Men, women, and children, were slaughtered indiscriminately wherever they were found, and this persecution continued even after resistance first, and then flight, were no longer resorted to on their behalf. The last who were heard of were a man and a woman, who approached a hunter in the attitude of suppliants, unarmed, and evidently exhausted for want of food. The inhuman miscreant, instead of being moved to pity, first shot the husband, and then deliberately loading his piece, fired with fatal aim upon the wife. The atrocious act was made known by his own boasts ; yet

the murderer was permitted to go not merely unpunished, but unquestioned. Of the black catalogue of crimes committed by the Europeans in America, the history of the extinction of the Bæothics is probably the foulest item. The followers of Cortez might at least plead the excitement of religious zeal, exasperated by the idolatrous worship and bloody human sacrifices of the Mexicans; those of Pizarro, the overwhelming lust for gold; but the persecution of the Indians of Newfoundland, at least in its latter stages, seems to have had no other incentive than a barbarous delight in cruelty and bloodshed. We need not therefore wonder that this part of M'Cormack's mission was unaccomplished. He penetrated to the deserted lodges of the natives, and returned with the melancholy conviction that the last survivor of the Bæothics had finally disappeared.

This is one of the instances to which we have referred, of the oppression of the natives by the British. The other has reference to the diversion of the funds set apart for their support upon the cession of their hunting grounds. The Huron nation, according to Col. Bouchette, possessed formerly for their hunting grounds, the country on the north bank of the St. Lawrence, from the River Chicoutimi to the River St. Maurice. This was the mere remnant of a possession that formerly reached to Lake Erie and Lake Huron, from much of which they were expelled by the Five Nations. In 1642 they were converted to Christianity. In 1651, it appears that they received as a compensation for the encroachment of settlements on their hunting grounds, a grant of the Seigneurie of Sillery, near Quebec, and of a part of the adjacent lordship of St. Gabriel. On the latter they settled, and were supported by the revenues of the former. Their spiritual guides, the Jesuits, appear to have constituted themselves their temporal administrators; and by a cession of Sillery, obtained a new grant from the crown, in 1699, to themselves. They probably, however, did this in good faith, and with the intention of acting as honest trustees. At any rate, they continued such allowance to the Indians as satisfied them. On the extinction of that order in Canada, their estates merged in the crown, the former allowance was stopped, and in addition, a prosecution was threatened for the rent of the lands the Hurons had so long peaceably occupied and cultivated. This last claim was not persisted in; probably lest it should have terminated in the proof of the Indian title; but the lordship of Sillery, and its revenues, are still withheld. Their poverty does not permit them to seek redress at law; but they, after all representations to the colonial government had failed, sent a deputation to lay their grievances before the King of Great Britain.

"The object of their petition was principally to obtain the possession of the

seigneurie of Sillery, near Quebec, which was granted to their ancestors in 1651, and to which they believe they have a just right."

"The kind reception, condescension, and gracious manners of the king, tended much to alleviate the severity of their disappointment, by being referred to the Canadian government, whose duty it was to examine their claims. The notes of Mr. Neilson on the Attorney General's opinion on these claims, a copy of which is in the hands of the author, seem to prove much in their favour; but these Christian Indians are poor and friendless; it appears that Providence alone can help them."

The Indians within the limits of the United States have, no doubt, much to complain of from the spirit of cupidity with which individuals encroach upon their lands, and interfere with their hunting grounds. In a recent instance, the conduct of one of the states has been such, as for the honour of our country ought to be blotted from the page of history. But as a general rule, the course pursued by the general government, and enforced as far as control could possibly be exercised, has been just, humane, and paternal. If, however, the aborigines of our country have been wronged, it is not our intention to defend the wrong; but we must maintain, that so long as such instances are to be met in the records of British colonial policy, it is unbecoming in the writers of that country to reproach us.

The last chapter of Col. Bouchette's book is devoted to a laboured argument on the importance of the colonies to the mother country. This argument is divided into four heads: 1. The extent of the territory, and its capacity for the support of population; 2. The trade of the colonies; 3. Their shipping; 4. Their political weight as appendages to the British crown.

1. Repeating the estimate of the extent of the regions claimed by the British government in North America, at four millions of square geographical, or 4,700,000 English miles, he allows 1,300,000 as covered by water, leaving 3,400,000 square miles of land. He then proceeds as follows:—

"If the mere magnitude of these immense possessions is of a nature to arrest attention, their geographical position is no less calculated to open our eyes to their importance. On the east they confine the broad basin of the Atlantic Ocean, on the west their coasts are lashed by the surges of the Pacific, on the north they stretch to the utmost bounds of the known polar regions, and on the south they are bounded by an almost immeasurable frontier, extending across the whole continent, and separating them from the territories of one vast and ambitious republic. Touching, at some points, the very temperate latitudes of 42° and 41°, an immense habitable section enjoys a climate in every respect suitable to the cultivation of the earth, the maturity even of delicate fruits and flowers, and highly salubrious to the health of man; a soil equally adapted to the pursuits of agriculture, and possessing exhaustless stores of minerals and timber. The most splendid river of the globe throws open to them an internal navigation of two thousand miles, whilst the numerous large tributaries to this chieftain stream, open a thousand collateral avenues to the heart of the country, north and south, and offer to the trader and the agriculturist a convenient means of carrying their goods and their produce to the shipping, which is to convey them to British and foreign markets."

Our author next states, that of the whole region, not more than 126,500 square miles have been actually surveyed, and that of this last, not more than one-twelfth part is under cultivation in the whole of the colonies. Comparing this extent of country known to be suitable for the purposes of agriculture, with the present rate at which the population increases, he infers, that in less than half a century, the inhabitants of the British provinces will not fall short of sixteen millions. To authorize such a calculation, he supposes them to become "the theatre of British emigration."

"Contemplating them in that light, they present to the mind various points of deep interest. That there exists in the mother country a redundancy of labouring population, seems to be universally admitted, and hence it becomes desirable to throw off the superfluity, to prevent the evils of pauperism. Yet this labour itself, which exceeds the demand at home, is a valuable commodity, and should still, if possible, be directed towards increasing the national wealth, instead of its passing to a foreign land, to enrich a rival state, and probably add strength to the sinews of an enemy. The British colonies offer the means of happily and advantageously retaining this valuable commodity within the precincts of the realm. The subjects of the metropolitan country, transplanted to the British soil in America, continue as closely as ever linked to the parent state; equally, if not far more useful to it in enhancing the national wealth; and become an additional rampart to repel any invasion of territory, co-operating, as they would with the loyal inhabitants of those provinces, in the defence of their adopted country."

We give these views as we find them in our author; that they are to a considerable extent fallacious will be easily seen. The colonists are not now very remarkable for their loyalty, and the transfer of a pauper population will be apt to carry with it feelings of dislike and aversion to that proud aristocracy, in which the power of England has so long resided;—feelings which will not increase their attachment for the country that has driven them from its confines. The events of the last year have shown how disaffected the agricultural labourers of England are; and it cannot be anticipated that change of place will alter their feelings.

2. In treating of the value of the trade of the colonies to Great Britain, Colonel Bouchette undertakes to show that the North American and West India colonies consume more of British manufactures, than a population nearly forty times as great does in the East India Company's possessions; and that the quantity of British manufactures consumed by a given number of individuals in these colonies, is four times as great as is consumed by an equal number in the United States.

3. The trade of the North American colonies is stated to employ 2000 sail of ships, carrying 500,000 tons, and manned by from 20 to 25,000 seamen, exclusive of the coasting trade and fishing vessels. This has in twenty years increased five fold.

4. In considering the political weight of the colonies, our author thus sums up:—

"The political weight that attaches itself to our colonies in the west, strikes the mind with very great force. The United States have a seaboard frontier ex-

ceeding 2000 miles, and although its defence has been a favourite object with the government of that republic, the efficient attainment of that end must be, and indeed we believe has been found, extremely perplexing and difficult. The United States however have another frontier, no less extensive, and far more vulnerable—it is the frontier on New-Brunswick and the Canadas; three British provinces, which, to use the words of an able writer, 'hang heavily on their flank and rear, and (extending the remark to Nova Scotia) overhang and command their coast.' Here the geographical position of the British dominions offers a powerful check to the United States, and gives to England a guaranty against their commercial, maritime, and political ascendancy. Let us for a moment suppose that the provinces are involved in the vast American confederacy, and that, therefore, the mouth of the St. Lawrence is in the keeping of American ships of war and American forts. The effects are obvious. The whole agricultural wealth of the immense fertile regions drained by the St. Lawrence, would be poured into the coffers of the republic; the maritime energies of the country would be more than quadrupled; its territorial aggrandizement would be almost incalculable; and yet its chances and means of defence be amazingly enhanced, inasmuch as the extent of frontier would be diminished by about one-half, and the practicability of its protection augmented in a proportionate degree. In the same ratio that the power of the United States would, under such a supposition, be heightened, should the maritime preponderance and resources of Great Britain be weakened, and she would behold the fairest portion of America in the hands of a rival nation, disposed already to measure its strength with her in the contest for naval and commercial superiority."

Hostile as is the spirit in which the above extract is conceived, it is worthy of the most attentive consideration from every citizen of the United States. It gives no exaggerated view of the means of annoyance possessed by Great Britain, and which she will employ to the utmost in any future war. The naval victories of our countrymen have left a feeling of enmity in the breasts of Englishmen, which will not soon be extinguished. We are indeed more respected than before, but we may feel assured that the time will come, when an attempt will be made on the part of that country to wipe off the stain which tarnishes her flag. While we remain in thoughtless security, England is silently preparing the means of annoyance in some parts of her territory, and of desperate defence in others. The fortifications of Quebec are daily strengthening; the dockyard of Halifax has been extended so as to suffice for the repair and maintenance of a numerous fleet; and that the winter may afford us no cessation of hostility, a naval dépôt, on a magnificent scale, is constructing at Bermuda. The time is not so far remote that it ought to be forgotten, when British ships lay quietly at their anchors within Long Island Sound, and the Bays of Delaware and Chesapeake; thus not only ready to move and attack every vulnerable point, but closing almost hermetically the great issues of our commerce, and the stations of our navy. It is difficult to imagine what might be the effect which a war waged on such principles, and continuing for a term of seven or eight years, might have upon our maritime strength, and even upon our character as a nation. In the late war, the blockade of our ports, and the cessation of our commerce, threw at once into the public and private armed vessels the hardy

seamen who had been trained in years of successful trade. But the nursery was closed for the education of successors, and the perils of combat, and the waste of age, would, after no long interval, have worn away the existing supply. A peace then, after a long war with the possessor of the peninsula of Nova Scotia, that possessor being the most powerful maritime nation of the world, might find the citizens of the United States wholly ignorant of the practice of seamanship, and that proud superiority we now boast over all other nations, totally lost. There is no reason to fear that the honour of our flag would not be gallantly maintained, or that the continual blockade of our coasts could be achieved without heavy losses on the part of an enemy; but that enemy would have such advantages of position, that all the chances of success would be in his favour. If then a war should ever again arise between the United States and Great Britain, the policy of our country is obvious; the Acadian peninsula must be ours at all hazards, and at any cost of blood or treasure. Were this once gained, the rest of the colonies would fall almost as soon as we might please to summon them, and the whole coast of the United States be safe from any serious attack.

It is impossible to look back upon the transactions of the late war, without wondering at the total want of strategic skill displayed by our government. Every point in the British possessions was threatened except those which were vital; the bravery of our soldiers was applied to objects, which, if attained, would have been of no real value. Canada was the prize we proposed to ourselves, and the first attack upon it was directed from Detroit; the second, from the Niagara river; and on this point, of no value in a military point of view, the energies of two successive campaigns were wasted; the ill combined movement on Montreal was not attempted until a superior opposing force had been collected; and had it been successful, would have been far from decisive. Now, it is clear, that any person possessed of a military eye, would see at once, that Quebec ought to have been the object of attack; or else, a post should have been seized and fortified upon the St. Lawrence, below that city, which would have rendered its communication with the sea unsafe.

It fortunately happens, that there is a portion of the American territories so advantageously situated, that if a proper use were made of it, it might neutralize all the benefits derived by the British government from the possession of Nova Scotia. We allude to the territory possessed by the state of Maine, north of the forty-sixth degree of latitude. This divides New-Brunswick from Canada, and would enable an army, collected in it, to threaten Quebec on the one side, and Halifax on the other. It would compel the British government, in case of war, to form an equal army both in New-Brunswick and Lower Canada, and to unite

in the St. Lawrence a fleet of such strength, as would leave little force disposable for the blockade of our coast; probably too little to contend with our own navy. Should the defence on either side be neglected, one or other would fall; with Quebec would fall the whole of Canada; with Halifax, all hopes of curbing the exertions of our maritime force.

This district presents the incalculable advantage of enabling an army moving in it, to act upon a single line against an enemy compelled to move upon two; and in addition, threatens points, not of minor, but of vital importance. The British government have strained every nerve to prove a right to its possession, and now that the question is decided, so far as the difference is of any value, in our favour, acquiesce with a bad grace in the decision of the umpire. Its value is by them far better appreciated than by us, who seem to look upon the matter as if it merely touched the property of a certain number of square miles, of a territory by no means fertile, and did not include a military position capable of securing the tranquillity of ten times its own extent. The value of a military road from New-Brunswick to Quebec, has been insisted upon, in the arguments of the British agents; but they have never whispered the actual truth, that they dreaded its possession by us far more than they feared its mere loss to them. It cannot be doubted, that should a war again occur, the very first hostile step would be the seizure of this debateable ground, which, resting upon the two strong holds of the British government, would never again return into our possession. It ought, therefore, to be at once occupied in such a manner, that its total loss need not be feared. For this purpose, a fortress, capable of sustaining a siege until it could be relieved, should be erected upon the upper valley of the St. Johns, and connected with the settled country by a military road, and a chain of fortified posts. We forbear to speak further on this subject, and indeed regret, that the very hostile spirit in which many passages of Colonel Bouchette's work are conceived, should have led us into the consideration of the possibility of a future rupture between the United States and Great Britain. His spirit is, we fear, no unfair index of the feelings of many; and much as we would deprecate collision, we conceive that it can be far better avoided, by being prepared to meet it, than by that neglect of all precaution which seems to mark our present policy.

The history of the dispute, in relation to the boundaries of the region in question, is one of such interest, that we shall offer no apology for laying it before our readers.

It is unnecessary to dwell upon the fact, that the territorial limits of the thirteen states which first united in the confederacy, were defined by British charters and other official acts, and that limits, founded upon a recognition of this principle, were accept-

ed by both parties as the basis of the definitive treaty by which the independence declared by the congress of these recent colonies, was acknowledged by the British government. Boundaries intended to define these limits, were, therefore, adopted in the treaty of peace; but as in many places, they, like the original charters, had reference to countries never yet explored, or geographical lines not yet traced upon the surface, they were necessarily involved in a greater or less degree of uncertainty. In such cases, it becomes necessary to recur to new astronomic determinations of latitude, and the running of meridian lines; in others, to explain the spirit of the treaty, by reference to the original grants. This question became further complicated, from the fact, that while many of the colonies which had declared themselves independent states, had been first settled by emigrants from Great Britain, and under British charters, the whole of those which adhered to their allegiance were conquered countries. Many of the British grants, too, are expressed in very vague terms, and would have very considerable latitude in their construction. It happens, however, that the earliest of all the British charters, which has a direct reference to the question, is perfectly precise; and that it defines a territory, which, after being for a time lost, would, and still does remain, a British possession.

In the year 1621, a charter was issued by James VI. of Scotland, then reigning in England under the title of James I., to Sir William Alexander, afterwards created Earl of Stirling, for the province of Nova Scotia. The western limits of this province are defined, by the River St. Croix, and a line drawn from its source, *versus septentrionem*, until it meets the nearest road, river, or spring, emptying itself into the River of Canada, and along such water course to that river.

The reasons for adopting this boundary seem to be, that the Dutch had, at a prior date, established themselves in the adjacent country, known at one time as the province of Sagadahock, and now forming the eastern part of the state of Maine. When the possessions of the United Provinces of the Netherlands, in North America, fell into the hands of the English, this was granted, along with the rest, to the Duke of York, afterwards James II. In this grant, this portion of the country is thus described: "beginning at a certain place called or known by the name of St. Croix, next adjoining to New Scotland, in America, and from thence extending along the sea coast unto a certain place called Petuaquine or Pemaquid, and so up the river thereof to the furthest head of the same as it tendeth northwards, and extending from thence to the River Kinebequi, and so upwards, by the shortest course, to the River of Canada northward." The eastern boundary, it will be seen, is not defined, except by the St. Croix; but that is sufficient, with

the precise statement, that it is intended to touch the country granted to the Earl of Stirling.

Both of the territories thus defined, were encroached upon by the French, who seem to have claimed as their province of Acadie, all the country east of the Kennebec. If prior possession can give any right, this was clearly on the side of the French, who attempted a settlement on the Isle of Sable as early as 1598, and founded Annapolis in 1604, seventeen years previous to the grant to Sir William Alexander. It is unnecessary to follow up the various fortunes of this province, which changed masters several times previous to 1713, when, by the treaty of Utrecht, Nova Scotia was by name, but without any description, ceded to England. An ambiguity was still left; for the French maintained that the name was applicable only to the Peninsula, and excluded the present province of New-Brunswick. It therefore was not until 1763, when the whole of the French territories were finally ceded to Great Britain, that the question could be considered as at rest.

The province of Sagadahock, granted to the Duke of York, long remained unsettled by the English; the original Dutch settlers seem to have disappeared, and it was as has been stated, partially occupied by the French under their claims to Acadie. They however rather employed it as a site for trade with the Indians, than as a permanent colony. In the mean time it had, by the accession of James II., merged in the crown, and it was re-granted to the province of Massachusetts, in the last charter of that colony from William and Mary, in the year 1691. In this charter, it is declared that the grant should not extend to any lands that were, on the third day of November, in the eighteenth year of James I., actually inhabited or possessed by any other Christian prince or state. Thus, although the boundary described, extended, so far as regards the present state of Massachusetts, to the Pacific Ocean, and so far as regards Sagadahock, to the great river of Canada, still, as ground included in the former had been actually colonized by the Dutch, and as the French had established themselves on the St. Lawrence, the title did not extend as far as the description would imply. It would be irrelevant to speak of the discussion that arose between the states of New-York and Massachusetts, in respect to the former of these points. In respect to the latter, the occupation of the right bank of the St. Lawrence by the French, was construed into a right on the part of the crown, after the conquest of Canada, to extend the province of Quebec, then created by royal proclamation, over a part of the province of Sagadahock. This, in the terms of the original grant, and of the new charter of Massachusetts, extended to the St. Lawrence; but the proclamation of 7th October 1763, declares that the boundary of the province of Quebec, "passes along the

highlands which divide the rivers that empty themselves into the said River St. Lawrence from those which fall into the sea, and also along the north coast of the Bay des Chaleurs." The same boundary is confirmed by the Quebec Act of 1774, in which that province is defined as being bounded "south by a line from the Bay of Chaleurs, along the highlands that divide the rivers which empty themselves into the St. Lawrence from those which fall into the sea."

We conceive that these expressions, particularly when the terms of the charter of Massachusetts are considered, leave no doubt that the highlands by which the province of Quebec was intended to be bounded to the south, were not a hypothetical line to be sought for among the sources of the streams, but mountains, visible to the eye of the inhabitant of Canada, and the navigator of the St. Lawrence, extending from the sources of the Connecticut river to the Bay des Chaleurs. Such mountains do actually exist, as we have seen in an extract from Col. Bouchette; and although they merge on the side of New-Brunswick, in many places, in the elevated table land of that province, they notwithstanding give rise to many of its streams, and no water course penetrates beyond their crest from the side of the St. Lawrence.

The discussions that arose between the province of Massachusetts and the crown, are foreign to our question, for they merged before they were adjusted in the more important question of independence; and when the question arose as to the boundaries of the territory of the United States, it was agreed on all hands to acquiesce in those defined by the proclamation of 1763. The definitive treaty of 1783, therefore assumes the same highlands as the northern boundary of the United States. But it became impracticable to define them in relation to the Bay des Chaleurs, when they fell wholly within the British territory, and became no more than a provincial boundary. The division line is therefore made to begin at the north-west angle of Nova Scotia. This part of the boundary between the United States and Great Britain, having never been surveyed or marked out, it was provided in an Article of the Treaty of Ghent, that commissioners should be appointed for the purpose of defining it. In the interim, a question had arisen in respect to the stream to which the name of St. Croix was properly due. This had been finally settled, and the branch to be considered as the main stream traced to its source. Thus the point whence the meridian line was to be drawn, was determined, and nothing remained but to trace it on the ground, until it should intersect the highlands intended by the treaty. This line was therefore explored under the direction of the commission, and has led to the following results. Pursuing a due north course from the source of the St. Croix, the line rises gradually for forty miles; here it passes along the east-

ern base of Mars Hill, at a height of 523 feet above the river St. Johns, which is distant from it about six miles to the east. Mars Hill may aspire to the name of a mountain, having two peaks of the respective heights of 1363 and 1504 feet. It is wholly surrounded by swamps, and gives rise to no streams that can fall within the terms of the treaty. No water, at any rate, can flow from it to the St. Lawrence. In the evidence of one of the British surveyors, it is stated that he was of opinion, founded on the view from the summit, that a chain of heights extended from it in a south-western direction towards the sources of the Connecticut. Of this, however, there is no other evidence. Admitting the fact, however, this chain of highlands can only separate waters flowing on the one hand into the St. Johns, and on the other to the Penobscot, Kennebec, &c. ; all of which obviously belong to the class of rivers falling into the Atlantic ; or admitting the utmost stretch of the British argument, none of them run towards the St. Lawrence. This mountain, and the supposed chain of which it is inferred to be the termination, are therefore excluded both by the letter and the spirit of the treaty.

From Mars Hill, the line was traced sixty miles farther to the north ; here it reaches the highlands which divide the waters of the St. Johns from those of the Ristagouche. This ridge is called the Sugar Mountain, is elevated 2000 feet above the former stream, and is higher than any land between it and the source of the St. Croix. The Ristagouche falls into the Bay des Chaleurs, and therefore into the gulf, and not into the river St. Lawrence. But this mountain can be no part of a dividing ridge such as that described in the proclamation of 1763 ; for should it form a part of a chain of mountains, that chain must be separated from the north side of the Bay des Chaleurs by the Ristagouche, a stream of no small importance.

At the distance of 132 miles from the source of the St. Croix, the meridian line reaches the summit of a ridge which is the highest land on the whole line. Proceeding twelve miles farther to the north, over ground still elevated, but descending slightly from this summit, the first streams running to the St. Lawrence are met with. Here, then, the American agents fix the highlands of the treaty ; and here is formed a ridge dividing waters running into the sea from those which join the St. Lawrence.

It therefore appears that a difference exists between the claims of the respective parties, of 104 miles, in the position of the point whence the highlands are to be traced to the source of the Connecticut. In our minds, there is not a shadow of doubt that the point claimed by the Americans is not only conformable to the spirit, but to the express letter of the treaty. It is a mere quibble to say that the Ristagouche is not a river that empties itself into the Atlantic, in the view of the parties who framed the treaty

of 1783, and those who drew the proclamation of 1763. But admitting that this point is not conformable to the letter of the treaty, there is no other which can be considered as in the least degree consistent with its provisions; and the due north line meeting no such point, must therefore be produced to the bank of the St. Lawrence itself, whence, in conformity with the principle urged by the British negotiators in respect to the Lake of the Woods, it ought to be traced in the shortest line to some point that does fall within the description of the treaty. Such a point is to be met with at no great distance. The Green river, a branch of the St. Johns, and the Rimousky, that falls into the St. Lawrence, have their sources near each other, about twenty-five miles west by south of the point where the meridian line from the head of the St. Croix first meets water running to the St. Lawrence. This is a point which it cannot be doubted is described by the strict letter of the treaty, and is a highland in respect to the valley of the St. Lawrence, although it must unquestionably be in what in the language of our settlers is called a gap, or in that of the French, a *col*. The division of the waters that feed streams running in different directions, is never found in any other position; each of them may be always followed up a valley of a greater or less declivity, until the source is reached; and in the same valley, and at no great distance, will be found the source of the stream which runs in the opposite direction. Sometimes a level summit is found, where the waters form a marsh or natural reservoir with two outlets, but more usually the sources are distinct. Had the treaties, proclamations, and acts of the British Parliament, fixed as a boundary between waters running in opposite directions, any other species of ground than the culminating points of valleys or mountain passes, they would have assumed what never is found to exist in nature. When, therefore, the British agent, in his argument, states that the mountains in the territory in dispute run east and west, he states what every person acquainted with physical geography would have inferred beforehand to be the case; but the direction of the chain which they make up, is determined by a line joining the culminating points of the valleys that separate the individual mountains, and such a line is the limit which would be consistent to the letter, with the description, "highlands which divide rivers." It would be a matter wholly of indifference, whether these gaps were reached by a rapid ascent down which the waters precipitated themselves in torrents as they do to the St. Lawrence, or whether the valleys gradually merged themselves in a table land such as forms the upper valley of the St. Johns. We therefore conceive that it is fully established, that a dividing ridge can be traced from the sources of the Connecticut, to those of the Rimousky and Green rivers, fulfilling in all respects the description of the treaty :

one part of this is not disputed by either party, namely, so much of it as extends to the point where the south branch of La Famine, the north branch of the Penobscot, and the south-west branch of the St. Johns, have their respective heads within a short distance of each other; from this spot to the sources of Rimousky river, the dividing ridge does not change its general character; if, therefore, it be admissible as the boundary in one part, it cannot, for the reason of a variation in its physical and geographical character, be rejected in the other. A similar ridge extends on to the sources of the Ristagouchy, and even if we admit that river not to fall into the Atlantic, in the terms of the treaties, still, the division between its source and that of the Metis, is a part of the same highlands which have been just traced from the sources of the Connecticut. We must, however, maintain, that the Ristagouchy, as well as the St. Johns, are rivers that fall into the Atlantic, so far as the spirit of the treaty goes. No other rivers are spoken of but the two kinds, one of which falls into the St. Lawrence, the other into the Atlantic; and any person who was desired to express the boundaries of the ancient Nova Scotia and Sagadahock, the country in question, would say without hesitation, that it lies between the River St. Lawrence and the Atlantic Ocean; thus merging the Bays des Chaleurs, of Miramichi, and Fundy, in the latter general term. The water courses of the peninsula, therefore, at once divide themselves into two classes, defined by the basin into which they discharge their respective streams.

The argument on the British side, is therefore wholly sophistical, as it is founded on the negation of the St. Johns being a stream answering to either of the classes described in the treaty. But the inference from this argument, that Mars Hill is the termination of highlands answering to the description, is obviously false, for it is impossible to maintain that the St. Johns falls into the St. Lawrence. Admitting then their argument, the "highlands" do not exist at all, and the proclamations of George the Third, in 1763, the famous Quebec bill, the definitive treaty, 1783, and that of Ghent, have been founded upon an assumption which the more cursory inspection of a map would prove to be erroneous. The course of the St. Johns was well known by the map before the makers of the treaty of 1783, to be circuitous, and its main branch is to be seen as there represented, rising close to the head of the Penobscot, as subsequent surveys have shown it does. Therefore, had it been intended to exclude the upper valley of the St. Johns, the terms of the treaty would have made the meridian of the St. Croix terminate where it struck the height of land which separates the waters of the Penobscot and Kennebec from those of the first named river. Such is

the only possible language that could be made consistent with the claims now urged on behalf of the British government.

The pretensions of the British have, however, been urged with a zeal and ability worthy of a better cause ; the researches, astronomical and geodætical, appear to have been far better directed than those of the Americans. The strong points of their position are brought into the boldest relief ; the weak points left out of view. Thus, while they have established, as far as the inaccessible nature of the country would admit, the general mountainous nature of the district through which the line they claim passes, the researches of the Americans on the line claimed by them are limited to the attempt at the determination of the heights of the passes. These being in the lowest points of the chain in which they are situated, would, at the first view, lead to the conclusion that the ground is low when compared with that upon the other line. And even these observations were made in a manner so utterly unscientific, as to have drawn down the merited scorn of the British agent, who rejects them on the authority not of a European, but of an American philosopher. The relative position of the parties is however widely altered in the final statements ; here the powers of reasoning, and splendid abilities of the American negotiator, are apparent, and he founds, even upon the imperfect materials furnished on his side of the question, and the showing of the British themselves, an argument in the highest degree triumphant.

There is another vexed question in relation to the boundaries between the United States and Canada. From the Connecticut river to the St. Lawrence, it was declared to be along the forty-fifth degree of north latitude. On the formation of the province of Quebec, this same parallel had been assumed as its southern limit, and surveyors were appointed by the local authorities of that province and New-York, to mark it out upon the ground. At that epoch, astronomic instruments were far less perfect than at present, and the only portable one for the determination of latitudes, was so cumbrous that it could not be transported through the difficult and savage country, across which part of this line passes. It appears that no astronomic determination was effected during this operation, but upon the bank of Lake Champlain. The rest of the line was run wholly by the magnetic needle. From a variety of researches made on both sides, the accuracy of this line had been called in question, and both parties hoped to gain by its revision. Hence, although a line had been run, and although the grants of land on each side had been made in conformity with it, the treaty of Ghent includes it among the unsettled questions, and the final location was among the objects then provided for, and was included in the reference to the same commission to which the "highlands" were refer-

red. Upon examination, it was found that the latitude of the point marked upon Lake Champlain as the place of departure, had been erroneously determined, and thus the whole line became liable to suspicion. This point is, in fact, about half a mile to the north of the true position of the parallel of 45°. By the correction of this latitude, Rouse's point, a commanding position near the outlet of Lake Champlain, and the most southerly point whence the entrance of that lake can be defended, fell wholly within the British territory. Upon this point our government had commenced the erection of a fortress, the title to which was thus lost.

A third matter in dispute had reference to the stream that was entitled to be considered as the main branch of the Connecticut. This, however, is too unimportant to occupy our attention.

When these subjects were argued before the commissioners appointed by the two governments in conformity with the conditions of the treaty of Ghent, the agents of the two parties adhered pertinaciously to their respective claims. The commissioners espoused the side of the nations by which they were appointed, and thus a decision before them became impracticable. It hence became necessary to refer the matters in dispute to the sovereign of a friendly country as umpire. The umpire thus selected was the King of Holland.

This monarch appears to have entered into the investigations of the questions submitted to him with the greatest industry and patience; we believe also with the strictest impartiality. We are aware that the epoch at which his decision was promulgated, and the objections that have been raised in this country, have led to charges of his having been biassed in favour of England. But when we consider that he has been equally blamed by the other party, we cannot but think that he has earned the highest praise which can be bestowed upon an umpire—complaints from both the parties. In his anxiety to settle the question upon a footing of strict equity, he has unquestionably overstepped his strict powers as an umpire, but he has certainly decided in such a manner, as without altering the strict justice of his verdict, has secured to each nation the point to which, in the extrinsic part of their respective arguments, it attached the greatest degree of importance. He has, in fact, admitted the justice of the American claim, in respect to the Highlands, in its fullest extent, and has tacitly made this admission the basis of his decision. But the British government had urged most forcibly the inconvenience and positive injury they would sustain, should they lose the mail route that they have for years quietly used between Fredericton, the capital of New-Brunswick, and Quebec. On the other hand, to draw the boundary between New-York and Canada, along the true parallel of 45°, leaves Lake Champlain unguarded,

and affords to the British free access to the heart of New-York and Vermont. Two successive wars had proved how vulnerable we are upon this frontier. The umpire, in the most equitable, and we must maintain, expedient manner, excludes from the northern extremity of the territory claimed by the Americans, as much as will give the British the control of the route by the Madawaska river, and Temisconata portage, from New-Brunswick to Canada. As an equivalent, he gives to the United States Rouse's point, with the circular area usually admitted in the politics of Europe, as the proper neutral territory that should environ a fortress.

The territory thus cut off and ceded to Great Britain, is of comparatively small extent, and of little value considered as land. Admitting it to belong, as it unquestionably does, to the state of Maine, it will not be difficult to give from the unsold public lands, to that state and Massachusetts, such equivalent as will more than compensate any loss the one may sustain as owner of the soil, the other as sovereign.

One only objection can remain to the acceptance of the decision of the umpire, by our government. This has reference to the allegiance of the settlers. On this head, however, we cannot perceive any real difficulty. One part of the settlers have long been habituated, however unwillingly, to consider themselves subjects of Great Britain. These are the Acadians of the Madawaska settlement. This unfortunate people, driven from their homes in the neighbourhood of Annapolis, sought refuge in these unexplored regions of the St. Johns, where they hid themselves from the operation of the merciless edict which dispersed their brethren, without provision, through the present Atlantic states. When the American royalists received grants in compensation of their losses in the colonies that had achieved their independence, in the newly created province of New-Brunswick, this remnant of a once flourishing colony was again dispossessed without ceremony. They retired up the St. Johns, and placed themselves where they might have reason to believe themselves secure from further annoyance. Little gratitude as they may owe to the British government, there is no reason to believe that they would desire to be placed under the jurisdiction of the United States, but would prefer to be connected with Canada, to whose people they are allied by customs, by language, and by blood. Within this province, the decision of the King of the Netherlands will place all of them who are seated on the left bank of the St. Johns, and those residing on both banks of the Madawaska. If those who may fall within the limits of the United States, should desire a removal, they will be justly entitled to indemnity for their possessions from the government under whose grant they have settled. As respects the citizens of

the United States, we are not aware that the settlements under grants from Maine and Massachusetts have been extended to the north beyond the River St. Johns. If they have, a similar indemnity will be due out of the compensation these states may be allowed by the general government, and to them it can hardly be considered a matter of hardship. The whole number who may be thus placed, will be of the race justly denominated the pioneers of civilization, and to them a change of residence is too familiar to be a misfortune, if it be accompanied with a payment for their improvements.

We have now to notice a claim stated by Colonel Bouchette as held on the part of Great Britain, still less justifiable, and more devoid of foundation than that which has been settled and refuted by the decision of the King of the Netherlands. In describing the boundary of the British possessions west of the Lake of the Woods, he represents it as extending along the forty-ninth parallel to the Rocky Mountains, then turning *south* along that ridge to the latitude of $42^{\circ} 50'$, "and finally upon that parallel to the Pacific Ocean." The sole grounds stated by him for a claim of such a sweeping nature, which, if valid, would wholly cut off the United States from the Pacific, seems to be, that the Spaniards have "extended their pretensions, not without just grounds, to Cape Blanco, in latitude $42^{\circ} 50'$ north, at which point it appears they have themselves stopped, as their northern boundary on the shores of the Pacific." The Spanish government, and the Mexican nation that claims under it, being limited by this parallel, Colonel Bouchette logically concludes, that the British nation is entitled to all north of it, until the Russian territories be reached.

So far from this acknowledgment, on the part of Spain, being an argument in favour of the pretensions of Great Britain, we shall see that it is in fact an act of cession to the United States, who now hold all the title which Spain may ever have possessed; and have, in addition, such sure grounds of property, that it may almost be questioned, whether the British government have a shadow of claim to any portion of territory west of the Rocky Mountains, except to the north of the forty-ninth degree of latitude, and that even to this their right cannot be considered as incontestable.

The grounds on which civilized nations have acted, in appropriating to themselves lands unoccupied, except by wandering tribes, are: 1. The right of discovery; 2. The right of prior occupation, when the former right had been left unenforced by the discoverer; and 3. The right of extending their settlements from the points occupied under the two first rights, whenever such extension did not interfere with the rights of others. These several rights have become the subject of treaties and frequent negotiations, and have formed the basis of agreements between

the parties who might have conflicting claims, arising from the vagueness with which the limits, growing out of the rights themselves, must necessarily be defined.

So far as regards the right to be derived from discovery, the state of the case is as follows. The Spaniards have, from an early period, turned their attention to this coast. Among the voyages stated to have been made by their navigators along it, is the famous expedition of Juan de Fuca. This has been frequently represented as fabulous, has been abandoned as a ground of claim by the Spaniards themselves, and is passed over, as affording no tenable ground, by the American negotiators who discussed this subject with the British government. We must, however, maintain, that the history of this voyage furnishes incontestable evidence that it was actually performed; for it gives an account of what has since been found to exist, and which it would have been impossible to describe without an actual visit to the region. De Fuca is represented as having proceeded along the coast of North America until he reached the opening of a strait. Into this he entered, and after a voyage of thirty days, found himself again in the open sea. Affected by the mania of his age, he fancied he had discovered the long sought for north-west passage, and had penetrated into the North Sea. It is this gratuitous assumption on his part, which has thrown discredit upon his whole voyage; yet straits, corresponding with his description, do actually exist; but so far from forming a passage between Hudson's bay and the Pacific, they are a mere arm of the latter, and form Nootka, or Quadra, and Vancouver's island. This voyage of De Fuca's took place in 1592; and it appears extraordinary, that while both American and British plenipotentiaries reject his authority, they concur in giving his name to the passage he is said to have discovered, and which lay unexplored by any other navigator for two centuries.

In 1603, another Spanish navigator, of the name of Aguilar, proceeded along the coast as far as the sixtieth degree. In 1774, the Spanish corvette *St. Jago* discovered Nootka sound, and sailed along the coast to the fifty-fifth degree of latitude. In 1775, Quadra, in the Spanish schooner *Felicidad*, discovered various ports between the fifty-fifth and fifty-eighth degrees, and carefully explored the whole coast from 42° to 54°. These voyages were previous to those of any British navigator.

On the other hand, the Russian, Bhering, had, in 1725, discovered Mount St. Elias, in latitude 58° 28' north; and Tcherikoff, some years later, explored the coast as low as latitude 56°. Thus the Russian and Spanish discoveries meet, and close out all other nations, so far as the right derived from this source applies to the mere coast.

It was not until 1778, that Cook visited the north-west coast;

and no further examination was made, under the British flag, until 1788, when the Straits of Fuca were entered by Meares and Duncan. They had, however, been re-discovered the preceding year, by Captain Barclay, a native of Great Britain; but as he sailed under the Austrian flag, no plausible right can be founded on his voyage, except in the government whose colours he bore.

In the same year with Duncan and Meares, Captain Gray, of Salem, in Massachusetts, then commanding the *Washington*, sailed fifty miles up these straits, which the former navigators did not examine to a greater extent than thirty miles, and then only in boats.

The Spaniards, however, did not allow their claim to lie dormant from non-user, but continued their voyages along the coast; and in the voyages of Quadra, in 1779, and of Martinez and Haro, in 1786, various other parts of the north-west coast were explored up to latitude 60° north.

It cannot, then, be doubted, that so far as the discovery upon the coast conveys a right, Spain possessed it in the fullest manner, as high as the southern limits of the previous Russian voyages. This right, thus existing in Spain, was, by the Florida treaty, in 1819, solemnly ceded to the United States.

In the examination of the mere coasts of countries, it frequently happens, that the confluence of great and important streams with the ocean, are passed over. It has ever been the admitted rule, that the discoverer of these should be considered as superseding the explorer of the coast, and as entitled to the right of settlement upon the banks of the river thus entered by him. Of the recognition of such a title, various instances may be alleged. Thus, although the northern shore of the Gulf of Mexico was well known to the Spaniards, yet the discovery of the mouth of the Mississippi was left for a Frenchman; and on his discovery, the right of settling Louisiana was founded by his country. The abstract right was admitted, in this instance, by both Spain and England, although the latter country disputed the extent of the boundaries to which the French pretended. So Hudson, sailing under the flag of Holland, explored the river that goes by his name, the banks of which lie within the previous British grants to the Virginia and Plymouth colonies. Under the title thus obtained, the Dutch settled the present states of New-York and New-Jersey. These were conquered by the British; but upon the conquest it was held, and solemnly decided before a British tribunal, that they did not revert to the companies within whose chartered limits they fell, but were the property of the crown; a decision which would have been manifestly unjust, were it not that the voyage of Hudson up the North River, and the settlement of its banks by the Dutch, had extinguished the claim to be derived from the charters. Such a title can be set up, with the surest re-

liance, to all that part of the north-west territory watered by the Columbia and its branches.

To use the words of the American plenipotentiary :

"The continuity of the coast from the 42d to the 45th degree of latitude, had been ascertained by the voyage of Quadra in 1775, and confirmed by that of Cook in 1778. The object of discovery, thenceforth, was that of a large river, which should open a communication with the interior of the country. This had escaped Quadra, who had sailed in sight of the entrance afterwards discovered. Meares failed likewise in his attempt, in the year 1788, to make the discovery. Captain Vancouver was not more fortunate. After having also sailed from south to north to the 48th degree, he recorded in his journal of the 29th April 1792, which he had too much probity afterwards to alter, his opinion, that there was no large river south of 48°, but only small creeks. On the ensuing day, he met at sea with Captain Gray, then commanding the American ship, the *Columbia*, who informed him of the existence of the river, at the mouth of which he (Gray) had been for several days without being able to enter it.

"Captain Vancouver proceeded to Fuca's straits, and Captain Gray returned to the south, where he completed his discovery, having, on the 11th May, entered the river which bears the name of his ship, and ascended it upwards of twenty miles. He then, having also discovered Gray's Harbour, went to Nootka sound, when he again met Captain Vancouver, to whom he communicated his discoveries, and gave him a rough chart of the river."

Upon this, Vancouver despatched one of his officers to make an accurate survey both of Gray's harbour and the river.

In the year 1805, after the cession of Louisiana to the United States, Lewis and Clark were sent with an expedition to explore the country, considered as having fallen to the United States by that purchase. They ascended the Missouri to its source, and passing the Rocky Mountains, reached the head waters of the Columbia, which they descended from its most easterly source to its mouth. In November 1805, they reached the confluence of that river with the ocean, near which they erected a fort, and wintered. It does not appear that Mr. Thompson, an agent of the British North-West Company, reached the northern or main branch of the Columbia, before 1806; on this he also established a post, north of the 50th degree of latitude.

In 1810, the mouth of the Columbia was occupied by a settlement formed by citizens of the United States: from this a line of trading posts was extended, to the distance of several hundred miles. The settlement fell into the hands of the British during the late war; but was restored in conformity with the conditions of the treaty of Ghent. The claim of the United States, is therefore unimpaired by the conquest, the basis of the treaty having been the *status quo ante bellum*. So far as we have yet proceeded with the examination of the conflicting pretensions, the British government has no shadow of title; but the United States possess all the right to the coast that is incident to discovery, from the cession of Spain; and the still stronger ground of property in the valley of the Columbia, growing out of having discovered its mouth, having explored it from its source to its con-

fluence, and having formed settlements upon it. We have now to admit, that there resides in the British government, a right of a nature similar to the last of these, in the discovery and complete examination of Fraser's river. This was explored by Sir Alexander Mackenzie, who navigated it for a great portion of its course, and reached its mouth, after leaving his canoes, and travelling for some distance by land. Another right is derived by them, from the admitted principle by which civilized nations conceive themselves justified in extending their settlements into the countries adjacent to those, in which they have established themselves, and which are occupied by tribes still in the hunter state. This right, which is incident to settlement, has in many cases been modified and defined by treaty. The British can derive their right so far as this ground of claim is tenable, only from the possessions of the Hudson's Bay Company; the Americans acquire theirs from the cession of Louisiana. Now we find the common boundary of these two possessions fixed in the treaty of Utrecht, made in 1713. By this compact, it is agreed that the 49th degree of latitude shall be the division line between the Hudson's Bay Company and the possessions of France. The possessions of France were subsequently divided. Canada falling by conquest to Great Britain, and Louisiana remaining for a time with the former country. Thence it passed to Spain, and afterwards, by cotemporaneous delivery, to France again, and to the United States. The United States, in consequence, possess all the right growing out of the extension of territory into adjacent countries, unoccupied by other nations, which was in France at the time of the treaty of Utrecht.

It is therefore hardly possible to imagine a title more strong than that now residing in our government to the north-western coast of North America, as far as the forty-ninth parallel, all conflicting claims having finally merged in it; and it having in addition, a claim of no mean strength, derived from Spain, as far as the dominions of Russia. But from this last part of the claim, a fair exception may be made on the part of the British, to the valley of Fraser's river.

It was therefore in the most perfect spirit of conciliation that the American government proposed the 49th parallel of latitude, as the boundary from the Rocky Mountains westward, as it had been made by the treaty of Ghent, between the Lake of the Woods and that ridge. This liberal offer was refused by the British government, and under the reservations with which the offer on our part was accompanied, the claim of the United States remains in full force to the whole; and from this there can be no reasonable exception, except so far as regards the country watered by Fraser's river and its branches. How weak the grounds of the British argument are, will be evident from the fact, that in the

statement on that side, it is expressly declared, that "*Great Britain claims no exclusive sovereignty over that territory. Her present claim, not in respect to any part, but to the whole, is limited to a right of joint occupancy, in common with other states, leaving the right of exclusive dominion in abeyance.*"

It is in the face of this official declaration that Col. Bouchette describes the whole country on the Pacific, from the parallel of 42° 50' to Mount St. Elias, as a part of British America. We have seen upon how infirm a foundation, any title to this is built, and the declaration just quoted shows that if now entertained by the British government, it is not many years since it was officially disclaimed.

The right of joint occupancy seems to be derived by the British from the Nootka convention, and this is perhaps the sole tenable ground they possess, except to the country watered by Fraser's river. This convention of Nootka is, however, from its very terms, and the nature of the difficulties it was intended to settle, a mere acknowledgment of a right to trade with the natives of a country not yet occupied by civilized nations, and were it still in force, must die so soon as actual settlements and cultivation are extended along the coast. Spain guarded with extreme care, in this convention, and in the acts performed in pursuance of it, against any cession of the right of sovereignty; property, so far as acquired by occupancy, was restored to the individuals; but this is by no means incompatible with the exercise of sovereignty; and we must infer, that so soon as Spain had found it expedient to exercise sovereign rights, the settlers under the Nootka convention must have admitted their allegiance to that country, or been content to remove. This famed convention is, however, now wholly devoid of force. Two wars have since occurred between England and Spain, and two treaties of pacification have been made, in which there is no reference to that convention. The rights secured to Great Britain under it, had in fact ceased to be used, the temporary trading settlements had been broken up, and no British subject remained on the whole coast. It was therefore wholly unnecessary to renew its provisions.

We shall now take our leave of the work of Col. Bouchette, again expressing the regret that many parts of it should be conceived in a spirit of such bitter hostility to our country. This we conceive was neither called for by the times, nor the circumstances of the case. We believe it may be declared with the most perfect confidence, that any remnant of national enmity, or of the feelings even more bitter, engendered by a war which might be entitled civil, is no longer to be found in the United States; or if any of it be left, it is wholly owing to the indiscretion of British writers, who seem to act as if it were a fixed in-

temptation to embroil the two nations. There are now, and must long be, subjects of dispute between them. If these be not approached in the spirit of mutual good will and forbearance, they will infallibly lead to collision; and such a spirit cannot long be maintained in the face of publications continually exciting the worst feelings towards each other. As Americans, we cannot fear the final result of any contest that may arise. The relative strength of the two countries is continually changing, and becoming more and more favourable to us; and the partial successes which a superior efficiency in the executive government of England, may enable her to obtain in the first stages of a war, will only, as it was just about doing in the late conflict, produce such a union in our citizens, as must make the strength of the republic irresistible. But as citizens of the world, we should esteem a future trial of strength between two nations, who, in spite of any rivalry, can, when at peace, conduce more to each other's benefit, to the general diffusion of civilization, and of the habits by which alone free governments can be maintained, than all the rest of the earth united, as one of the greatest misfortunes which could occur to the human race.

We shall say nothing of the style of Col. Bouchette; extracts of sufficient length have been given to enable our readers to judge for themselves. We avoid criticising it, particularly when we consider, that his origin, education, and habits, are such as would almost effectually prevent his attaining the vernacular purity, which a habit of the miscellaneous use of two living languages is almost sure to destroy.

ART. VII.—*The Life of Gouverneur Morris, with Selections from his Correspondence and Miscellaneous Papers: detailing Events in the American Revolution, the French Revolution, and in the Political History of the United States.* By JARED SPARKS: 3 vols. 8vo.: Boston: Gray and Bowen: 1832.

To say that this is a highly interesting production, would be, though true, but very imperfect praise. We know, indeed, of no book, that has fallen under our notice for a long time past, which possesses more varied and fertile sources of pleasure. Our own country, during the most remarkable period of her history, and the great men who then figured on the stage of life, are not alone presented to our view—the great drama, which was shortly after acted on the continent of Europe, is exhibited by

one who was an eye-witness of many of its most important incidents. The work, however, deserves, and will receive, a much higher eulogy. It is replete with instruction; and that upon the most important topics—history, biography—in a word, human life and manners. On the merits of Mr. Sparks, the biographer and editor, it is unnecessary to enlarge. His reputation, as a writer of industry and talents, is fully established: it may suffice to say, that the present publication will sustain his well earned credit. He has advanced another claim to the gratitude of his countrymen, by furnishing, as he has done in the present work, additional authentic materials for the history of the United States. The letters and papers are transcribed from the original manuscripts; most of them having never before appeared in print. Mr. Sparks has kept in view the legitimate purpose of biography. It was not his aim, (to use his own words,) “to write a panegyric, or emblazon good qualities; but rather to present traits of character, acts, and opinions, in their genuine light and just bearings, and leave them to make their proper impressions.” In our account of the political opinions of Mr. Morris, we shall endeavour to follow the good example of the biographer; our intention being to present them clearly to the reader, without, in all cases, being supposed to advocate their correctness.

In its general arrangement, the work is divided into two parts: the first, a biographical sketch; and the latter, a selection of letters and miscellaneous papers, the productions of Mr. Morris’s pen. Upon the first part, so far as regards a mere detail of the events of his life, we do not intend, in the present article, to dwell: and this, principally, because the incidents of the life of Gouverneur Morris are now familiar to the great mass of our readers. He acted so prominent and honourable a part in the revolutionary contest, and in the formation of the present Constitution; and after its adoption, held so conspicuous a station in the eye of the public, that the leading features of his career cannot fail to be generally known. With the history of his country, the name of Gouverneur Morris is indissolubly connected. A mere record, then, of his life, could hardly be interesting, as it would furnish but familiar facts. It will be more profitable and agreeable to turn our attention to some of the interesting matters developed by the industrious researches of Mr. Sparks, and to consider the character and political opinions of Mr. Morris; adverting only to his biography for the purposes of illustration, and of order in the arrangement of our remarks.

The political opinions of Mr. Morris, upon the subject of his own country, first claim our notice. However much we may be inclined to differ, in many respects, from his views on this head, the sentiments of one, who was among the first to step forward to the rescue of his country from a foreign yoke, and whose

knowledge of human, and experience in public affairs, were equal to those of any man of his day, must command our respectful attention. Convinced as we are, that our system of government approaches perfection as nearly as any human contrivance can, and ardently as we are attached to the democratical features of our Constitution, the more we behold of the practical results of governments, the less disposed are we to quarrel with the speculative opinions of others on the subject. The essential characteristics of a good citizen appear to us to be, a surrender of his private opinion to the legitimately declared sentiments of the majority, a hearty acquiescence in their constitutional measures, and an earnest devotion to his country's happiness. We care nothing for mere lip-service—nor how loud and vehement may be the protestations of attachment to union and the Constitution, of those, whose measures are diametrically opposed to both the one and the other.

Particular indulgence is due to the formation of opinion on abstract points of constitutional government, at a time when the experiment has yet to be made—when a new people, under novel circumstances of situation, education, and habit, are about to adopt a form of government. This was the case with our country, at the close of the revolutionary war. We know, that upon no one point, did the men who had the weal of these states most at heart, more radically differ, than upon this very point. The convention, that formed the Constitution, was composed of individuals of every variety of political sentiment, and of widely variant views of the diverse interests of the several parts of this extended country. They, therefore, came together, each with such speculative opinions, previously formed, as education, natural disposition, or knowledge of mankind, had inclined them to adopt; but we firmly believe, to a man, ardently devoted to the furtherance of the good of their common country. All were patriots: and Gouverneur Morris not the least so, of that distinguished assembly.

From his youth, Mr. Morris had high notions. Born of a very distinguished family, possessing a fine person, and talents acknowledged to be superior to those of most of his acquaintances, he early adopted opinions, in their tendency aristocratical; opinions, perhaps excusable in youth, but of the impolicy of which, every day's experience should convince us. These notions adhered to him through life, and tinged all his views of government. He well expressed, in early youth, the cast of his mind, when he said, "If I were to choose a master, it should be a single tyrant: because I had infinitely rather be torn by a lion, than eaten by vermin." In the same speech, made when he was twenty-four years of age, in which he used the above emphatic language, it is worthy of remark, that he advocates equality and

a republic; because then virtue will always be esteemed; and that alone, said he, should be respected in any country. We shall see hereafter, when we come to consider Mr. Morris's exertions in the cause of liberty, that whatever may have been the speculative ideas of his boyhood, he never wavered when the crisis arrived; but that he stepped forth one of the earliest advocates of Independence, at a time when its propriety was questioned by many supposed to have wiser, as they had older, heads than he.

His fundamental maxims in government were, that its form should be accommodated to the nation which it was intended to control: that it was immaterial to discuss the question, "which form is best in the abstract?" for its excellence depended not on its intrinsic perfection, but upon its fitness for the nation where it was established: that that was the best, which had fewest faults: and that every kind of government was liable to evil. He considered that the question of probable permanency should never be lost sight of; for the best, if unable to preserve itself, he held as good for nothing; and believed, therefore, that minor advantages should be sacrificed to obtain this greater good.

We have condensed these maxims; which are spread over the pages of Mr. Morris's Correspondence, expressed with peculiar propriety and force of language, and illustrated by striking examples. Whatever may have been his views with regard to France, which we shall have occasion presently to consider, he was firmly persuaded that a monarchical government was unsuited to the genius and habits of our people. He has, we know, been charged with being a monarchist. Such, however, was not the case. Lamenting, in common with all good men, the disastrous results to which the states were exposed from the inefficiency of the old confederation, he was in favour of a strong government—one which should be capable of maintaining domestic tranquillity, and of presenting a united front to foreign nations. An absolute monarchy, he said, would hardly last three lives; but that a country would be best governed (taking for a standard any long period) when the principal authority was vested in a permanent senate. Such a body, he confessed, it would be impossible to establish here; much less an hereditary senate; which, however, he thought would in general be less unfit than one which was the object of popular choice. The hereditary senate, he was of opinion, could not long retain their power; that on the whole, therefore, it might be best to fix the office for life, in men possessing large property; and fill up vacancies from, but not by the people. His object in this was to protect the rights of property against the spirit of democracy, by giving stability and energy to the government; and to balance the weight of numbers by that of wealth, which he deemed to be the

only effectual security to each against the encroachments of the other. He laboured hard to procure the assumption by the general government of the debts due to the army, and the other public creditors; from a firm persuasion, that by being a claim on the whole country, they would form a bond of union between the states.

These sentiments of Mr. Morris were by him freely expressed. There was no disguise about him. Indeed, independence in the formation of opinion, and fearlessness in its expression, were two distinguishing characteristics of his mind. He went, therefore, to the convention which formed our Constitution, with views widely different from those entertained by many who sat in that body, but with a firm determination, as his subsequent conduct showed, to yield to the will of the majority a hearty and full acquiescence. We cannot help pausing an instant here, in our view of Gouverneur Morris's principles and conduct, to pay a passing tribute of respect to the man, whose memory all Americans should honour. We allude to Alexander Hamilton. It is well known that in theory he admired a monarchical government—he openly avowed this sentiment: that his dislike to republican government, (which he improperly confounded with a pure democracy) was founded upon a belief of its tendency to despotism; and of its liability to be destructive to public morality. He well knew, that the materials for an aristocracy did not exist in America; that without those gradations in society, a monarchy could not be established, nor could it be, but by the mob; but he preferred that *form* in general; and when he saw the impracticability of establishing that, he was anxious to nerve as much as possible the executive arm, thinking there was not sufficient power in the president to carry on the business honestly. "He was not," says G. Morris in an interesting letter, (vol. iii. p. 261,) "as some have supposed, so blind as not to see, that the president could purchase power, and shelter himself from responsibility, by sacrificing the rights and duties of his office at the shrine of influence. But he was too proud, and, let me add, too virtuous, to recommend or tolerate measures eventually fatal to liberty and honour." Yet though the Constitution was adopted on such different principles from those he longed to see established, he heartily assented to it, for he considered it a *band* which would hold us together—how nobly, then, he sacrificed his private sentiments—how deeply he felt the advantages of the Constitution, though not in accordance with his own previous ideas of fitness—how fervently and cogently he reasoned on the subject, and refuted the objections of the timid and the captious, shines forth in brilliant light from the pages of the *Federalist*.

Mr. Morris has the praise of being the author of the present phraseology of the Constitution. We cannot do better than offer,

in the words of a letter from Mr. Sparks to Mr. Madison, and the latter's reply, the account of G. Morris's agency in the matter. The biographer, after stating his inability to procure any information from Mr. Morris's papers, he having left no memorandum of any kind upon the subject, says,

"It is said by several persons, who profess to know the fact, that the Constitution, in its present form and language, is from the pen of Gouverneur Morris; that, after all the debates were finished, and each part had been adopted in substance, the instrument was put into his hands to be wrought into proper phraseology and style. His friends are in the habit of thinking, that much is due to him for the clear, simple, and expressive language, in which the Constitution is clothed." Mr. Madison answered—"The *finish* given to the style and arrangement of the Constitution fairly belongs to the pen of Mr. Morris: the task having, probably, been handed over to him by the chairman of the committee, himself a highly respectable member, and with the ready concurrence of the others. A better choice could not have been made, as the performance of the task proved. It is true, that the state of the materials, consisting of a reported draft in detail, and subsequent resolutions accurately penned, and falling easily into their proper places, was a good preparation for the symmetry and phraseology of the instrument; but there was sufficient room for the talents and taste stamped by the author on the face of it. The alterations made by the committee are not recollected. They were not such as to impair the merit of the composition. Those, verbal and others, made in the convention, may be gathered from the journal, and will be found, also, to leave that merit altogether unimpaired."

In one particular, we think that Mr. Morris's opinion of the character of the party which came in with Mr. Jefferson, induced him to form exaggerated estimates of the dangers to which he thought the Constitution exposed. He was apprehensive, that as the power of the general government was so great, and was increasing so fast, the Constitution would be destroyed, and an unbalanced monarchy established on its ruins. We consider that the most distant evil, to which the country has been or is exposed. The danger to the Union, and of course to the happiness of the states, consists in a want of proper power in the general government, to enforce obedience to its lawful decrees, on the part of a state which proves refractory. We are, on this point, more inclined to admire the political foresight of Mr. Hamilton. That statesman considered the constitutional power of the president too limited; and aware of the possibility of extending that power in an improper way, through executive influence, he was anxious to invest him with more authority by the Constitution itself: in the nervous language of Gouverneur Morris himself—"Hamilton apprehended a corrupt understanding between the executive and a dominating party in the legislature, which would destroy the president's responsibility; and he was not to be taught what every one knows, that where responsibility ends, fraud, injustice, tyranny, and treachery, begin."

The question of contest between the general and state governments, which we just now alluded to as the most likely danger to our country, is one which the patriot cannot contemplate with-

out a shudder. From whatever cause it may arise, whether from a stronger natural attachment to the latter than the former, or not, it seems very easy to get up a serious opposition in any state, when the particular interests of that state are supposed to be injuriously affected by any act of the general government. The chances are, that this opposition, if general and determined, will result either in the abandonment of its claims on the part of the general government, or in an open contest; in other words, a civil war; the most probable termination of which, would be the end of the Union itself. The general government would appear to us powerless for any attack on the liberty or rights of a state—may it never be warrantable to add, powerless also in compelling obedience to constitutional laws.

The ideas of Mr. Morris, on the subject of the judiciary, were characteristic of the lawyer and man of sense. The independence of the judges, he looked upon as one of the essential supports of a free republican country. In the notes of a Constitution for France, in which he sets out by proclaiming the principles which ought to govern in the formation of such an instrument, he develops the views which, upon this point, he always entertained. "The interpreters of the law ought to enjoy an independence proportioned to the extent and importance of their functions." "The judges ought to be as immovable as the law which they interpret, impartial as the justice which they dispense, and firm as the authority which they represent." Again, in a very remarkable paper, prepared by him, at the suggestion of the Count de Montmorin, entitled, "A Speech composed for the King of France, with observations on the Constitution just then adopted in that country," (Sep. 14, 1791,) which, however much that unfortunate monarch may have approved, he had not the courage to adopt, Mr. Morris introduces the following observations on what was with him a favourite point:—

"To make a proper choice of judges, as of other officers, those who choose, should have not only a competent idea of the duty to be performed, and of the talents required, but an interest also in making a good choice. Will this be the case in a popular election? Will not those, who have suits depending, endeavour to get such men named, as will best answer their purpose?" • • • "Will not the rich exert themselves to have such judges chosen, as will be instruments of their despotism? And what instrument so dangerous as an iniquitous judge?" • • • "If, in this confined state, their little all be at the mercy of a partial judge, that tranquillity of the soul, which liberty should confer, exists not for them; and that, which is to others a blessing, becomes to them a curse. And when their unavoidable dependence on the rich, increased by the influence of such judges, compels them, under the pressure of that double weight, to reelect their oppressors, then, humiliated and degraded even in their own eyes, by the possession of privileges they cannot exercise, they will find themselves enslaved by the excess of liberty."

These observations are well worthy of attentive perusal by those, and there are such in our country, who are anxious to introduce amongst us the system of elective judges.

It is well known that Mr. Morris made one of his happiest efforts on this subject, in the Senate of the United States, in 1802, in the famous debate on the judiciary establishment. The proposition, under discussion, was to repeal the Act of February, 1801, making some new arrangements in the judiciary system, whereby several new courts and judges were created. With the abolition of the courts, of course the judges were to lose their offices. This supposed attack upon their independence, and upon the permanent tenure of their situations, was resisted with all the energy and vigour of Mr. Morris's mind. The subject and the speeches are too familiar to justify any enlarged notice of them; it may be enough to say, that his efforts on the occasion have been justly regarded as exhibiting uncommon powers of eloquence and reasoning. He always considered the passage of the bill, as a fatal stab to the Constitution of the country.

It was to be expected, from the turn of Mr. Morris's mind, that of the two great parties into which the country began to be divided, even during the administration of the first president, he should rank himself with the federalists. This he accordingly did; and from his zeal and eloquence, became at once one of their leaders. It is not our purpose to enter into any discussion of the comparative merits, either of the leaders of those parties, or of their respective measures. That strife is long since past; we trust never again to be revived. It is undeniable, that great and patriotic men were to be found in the ranks of both; and it is equally undeniable, that the heats of party discussion and opposition, induced each party to judge too harshly of the intentions, and to underrate the talents of the other. The fervid fancy and warm feelings of Morris caused him to regard as irretrievably pernicious, many acts of Mr. Jefferson's administration, which the calmer view of experience has not condemned. But though he was associated with the federalists, he retained, even in the ranks of party, the natural independence of his mind. Of all their measures he did not approve; on the contrary, on two of the subjects which engrossed a large share of public attention, he differed entirely from the sentiments of his friends. We refer to the contested election between Jefferson and Burr, and the Louisiana treaty.

During the contested election, Mr. Morris was in the Senate, and having no agency in the choice, he kept himself as much as possible aloof from the political strife, and expressed his sentiments on the occasion only when desired so to do. He was personally on good terms with both of the rival candidates; his preference, therefore, of Mr. Jefferson, was founded on impartial and honourable motives. He was convinced, that he, and not Mr. Burr, was the choice of the people for the presidency, and felt

himself bound to submit to the expression of their opinion. In a letter to Hamilton, (vol. iii. p. 132,) he says:—

“Not meaning to enter into intrigues, I have merely expressed the opinion, that since it was evidently the intention of our fellow-citizens to make Mr. Jefferson their president, it seems proper to fulfil that intention.” And a little further on, in the same letter, he speaks thus patriotically: “having declared my determination to support the constitutionally appointed administration, so long as its acts shall not, in my judgment, be essentially wrong, my personal line of conduct gives me no difficulty; but I am not without serious apprehension for the future state of things.”

On the subject of the acquisition of Louisiana, he entertained the same views with the administration. Before that treaty, he had fully expressed in the Senate, on the occasion of Mr. Ross’s resolutions concerning certain Spanish aggressions and the proposed seizure of New-Orleans, his sense of the importance of that territory to the United States. He had advocated the resolution very ably; and when Mr. Jefferson concluded the negotiation which put us in possession of that vast and noble country, he clearly saw its incalculable advantages. He gave, therefore, to the treaty, his hearty support. It is true, he was opposed to the admission of the inhabitants into the Union, and was in favour of fortifying New-Orleans strongly, and keeping the whole territory as a province. His political sagacity, however, when her admission into the Union was determined upon, enabled him to see at once, that the fears entertained by many, of the too great preponderance of the southern states, from the circumstance of the acquisition of that large country, were altogether groundless. In a letter to Jonathan Dayton, (vol. iii. p. 204,) he says:—

“The die is cast. And from the moment when the citizens of Louisiana were made members of our Union, they became the natural and political allies of the northern and eastern states. We have with them no competition of interest; on the contrary, our shipping and mercantile capital are essential to their wealth and prosperity. To our merchants, it is completely indifferent, whether the rice, indigo, tobacco, and cotton, with which their ships are freighted, be produced along the eastern or the western waters. And equally indifferent is it, whether the produce of our skill and industry be rendered to those who speak English, or to those who speak the provincial dialects of France and Spain. As the spirit of policy has no passion, so that of commerce has no attachment. Both are governed by interest; and the interest of New-England is the same with that of Louisiana.”

Political events have, we think, confirmed this prediction. In several other letters, the advantages resulting from the acquisition of that fertile territory, and its great resources, are very clearly manifested.

Two cardinal points of Mr. Morris’s policy we shall here notice. He was opposed to the formation of any more treaties with foreign powers, than were absolutely necessary. He was unwilling to see the United States drawn into the vortex of European politics; recommending, at the same time, a careful watchfulness in regard to what passes on that hemisphere. The less that we

were fettered by diplomatic engagements, the better, he thought, we should be able to preserve a firm and equal conduct in difficult cases. The preservation of an exact neutrality, was, in his opinion, our truest and best course. In this view of our foreign relations, Morris was supported by the concurrence of the sagacious Franklin; while many of the politicians of the day, of whom John Adams was the foremost, had directly opposite opinions of the policy of the measure. For a sketch of the arguments on both sides, we would refer the reader to pp. 205, 206, vol. i., and Mr. Sparks's remarks thereon. The other maxim he had broached in early youth, and maintained through life. In nothing did he show himself more truly acquainted with the best interests of our country, and of the proper means to support a becoming footing among the powers of the earth. We allude to the establishment of a navy. In 1794, he wrote in the following terms to Edmund Randolph.

"Having said thus much on treaties, I come now to their sanction, an *American marine*. Whatever apprehensions may be entertained from a standing army, nothing is to be feared from a standing navy; wherefore, I think, we should not follow the European example of building ships to lie idle, until a war calls them into action, at a great increase of expense, and by great injury to commerce. This may suit the ambitious, who wish to extend their possessions; but a peaceable nation, placed as we are, should, I think, make perpetual provision for every ship that is built, and her fleet should be annually manned, victualled, and equipped, and should cruise during the fine season. I believe that we could now maintain twelve ships of the line, perhaps twenty, with a due proportion of frigates and smaller vessels. And I am tolerably certain, that while the United States of America pursue a just and liberal conduct, *with twenty sail of the line at sea*, no nation on earth will dare to insult them. I believe also, that, not to mention individual losses, five years of war would involve more national expense, than the support of a navy for twenty years. One thing I am thoroughly convinced of; that if we do not render ourselves respectable, we shall continue to be insulted. And let it not be supposed, that a remedy for our weakness can be found in conventions with other powers for *preserving neutrality*. In such conventions there are often dupes, and it is the weaker who go to the wall."

Of the embargo and the war which followed, Mr. Morris was a strenuous opponent. He considered them unjust, and destructive to the interests of the commercial states. At that time he was a private citizen, entitled, of course, to his own private opinion, and to the free expression of it. He undertook no active opposition to the measure, and did nothing to embarrass the government in the prosecution of it.

He was, to a degree, a party man; but on many occasions, rose far superior to party. He preserved the natural independence of his mind; and his strong good sense enabled him to distinguish between measures prompted by the mere love of opposition, and those engendered by true love of country. Age tempered the fire of his feelings; and it is delightful to contemplate, how, in the evening of life, and after all the storms of party to which he had been peculiarly exposed, he could look upon its strife with

the feelings of a philosopher and a patriot. When we arrived at the *last* page of his correspondence, after reading his vivid descriptions of what he considered the pernicious acts of an administration, to which he was at least honestly opposed, it was with peculiar feelings of pleasure that we beheld in his last communication the proof, that the hand of time had soothed the asperities of party warfare; and that with the increase of his years, patriotism had absorbed all minor sensations. In an answer to the Philadelphia Committee of Correspondence, in 1816, a few months before his death, he says:—

“But, Gentlemen, let us forget party and think of our country. That country embraces both parties. We must endeavour, therefore, to save and benefit both. This cannot be effected, while political delusions array good men against each other. If you abandon the contest, the voice of reason, now drowned in factious vociferation, will be listened to and heard. The pressure of distress will accelerate the moment of reflection; and when it arrives, the people will look out for men of sense, experience, and integrity. Such men may, I trust, be found in both parties; and if our country be delivered, what does it signify, whether those who operate her salvation, wear a federal or democratic cloak? Perhaps the expression of these sentiments may be imprudent; but when it appears proper to speak truth, I know not concealment. It has been the unvarying principle of my life, that the interest of our country must be preferred to every other interest.”

As we before remarked, however, the speculative opinions of any man are of little importance, as compared with his acts. By these let Gouverneur Morris be judged. He was one of the earliest, boldest, and most active of the revolutionary patriots. At twenty-two years of age, when manhood yet sits strange upon many, and few are fitted to take the lead in designs so momentous as those consequent upon a strife for a nation's freedom, Mr. Morris started in the race for liberty, when the goal seemed hardly attainable, and labour, and blood, were the assured concomitants of the contest. He was of a family which stood fair in the good opinion of the English sovereign, and had enjoyed many of his bounties. He was a citizen of a state which contained a greater proportion, than any other, of those who were indisposed to separation from the mother country. Yet, notwithstanding these ties, which were found too powerful for many, young Morris at once felt in their full force, the wrongs under which his country laboured, and was among the very first who advocated complete separation and independence. He was a member, at three-and-twenty, of the first provincial Congress of New-York—and continued so nearly the whole time, until he took his seat in the Provincial Congress. He, side by side with Jay, fought in the former assembly for the adoption of the Declaration of Independence, and made on that question one of his finest speeches. The war had then commenced; and in order to overcome the repugnance entertained by many, to a declared disunion with England, he showed, with great clearness, that they already possessed independence in fact; that the connexion could not be

ren, wed without entailing slavery upon America, and that, therefore, the Declaration of Independence was a proceeding of absolute necessity. By the exertions, principally, of these two patriots, that great measure received the sanction of the assembly of the large and powerful state of New-York. As we intimated in the outset, it is not our intention to follow out the incidents of Mr. Morris's life, further than may be necessary for the elucidation of our object. It may be deemed sufficient to state, that in all the negotiations of the revolutionary war, and in all the labours in and out of Congress, of a civil character, he largely participated. In one department, perhaps the most important, that of finance, in conjunction with his great namesake, he reaped unfading laurels. The name of no one of the patriots of '76, is more frequently connected with the great events of the period, than that of Gouverneur Morris.

Before turning our attention to France, with the affairs of which country Mr. Morris was very largely associated, we must notice one matter connected with his labours for the welfare of the states, too important to be passed over, and which possesses at the present time a peculiar interest. We mean the establishment of the Bank of North America.

The scheme of a bank was matured in conjunction with the superintendent of finance, Robert Morris. Hamilton, also, assisted in its formation. With him, the two Morrisises consulted. But to Gouverneur Morris, principally, is due the merit of preparing the actual plan of the bank, and the observations accompanying it, which were submitted to Congress. The effects of this institution in restoring public and private credit, and in aiding the future operations of the financier, are well known. Immense benefits resulted to the country from the establishment of a bank with the small capital, at first, of 400,000 dollars. Hamilton, whose ideas upon all subjects were of a gigantic kind, proposed a vastly larger sum : and had the concurrence of Gouverneur Morris in his idea. It was considered, however, on the whole, more prudent to commence with a small sum, which might be increased as the credit of the institution should be gradually established with the country. This bank, in spite of its advantages, was not safe from individual jealousy, and the assaults of interested politicians and speculators. It was established in the year 1781, and incorporated by an ordinance of Congress. In the next year, it was likewise incorporated by the Legislature of Pennsylvania. In 1785, a proposition was brought forward by the enemies of the bank, to repeal the act of incorporation. Mr. Morris wrote an address to the representatives of that state, in defence of the institution. It is, probably, one of the most able papers that ever came from his pen. It places in the strongest light the advantages of the bank ; and taking up, one by one, the

arguments of its opponents, showing their utter inconsistency with each other, demolishes them singly and collectively. We were strongly reminded, in reading this address, of the able and conclusive arguments lately advanced by Mr. M'Duffie in Congress, in answer to Judge Clayton's charges against the present valuable national bank. The like clear and conclusive replies to inconsistent and untenable positions are to be found in each. We shall not detain our readers by an exposition of Mr. Morris's reasoning, as it is probably familiar to many: and as some of the points discussed are inapplicable to the great question now before the nation. One position, however, assumed by the opponents of that bank, is so analogous to an objection urged against the re-chartering of the Bank of the United States, that we cannot refrain from extracting a few remarks from Mr. Morris's answer. The objection was, that rich foreigners would be induced to become stockholders; and that all, or a greater part of the stock, would finally vest in them.

"A grievous complaint is made of the want of money, and yet as grievous a complaint of the only means to obtain any. We have it not at home, and must not receive it from abroad. Do these gentlemen suppose it will rain money, now, as it did manna of old? and because they have the same perverseness with the children of Israel, do they expect the same miracles? To experience a want of public credit is, they say, terrible; but to destroy the only means of supporting public credit is, they say, desirable. Let us appeal to facts. No country on earth enjoys extensive credit which has not a public bank. We have ourselves experienced its good effects, when we were in the greatest distress. And shall we now be told that the bank must be destroyed, and yet public credit be supported?"

On another occasion, and with regard to another subject, he used an expression, which may with great propriety be applied to this same objection.

"Indeed, I should not be sorry, that the ministers of every nation in Europe, had a large landed estate in America, believing as I do what is written, that where a man's treasure is, there will his heart be also."

In the same address above referred to, he further says:

"Nor is there the least danger that foreigners will hold even a great proportion of the bank stock. Bank stock will always be most useful for the mercantile man who lives on the spot. Because he, and he alone, can at once receive the dividend, and when occasion requires, have, by loan for a short time, the use of his money; so that he will naturally outbid the foreigner."—"And so far from any danger to the state, by the interest of foreigners in their funds, there is a great security. Every foreign creditor is an advocate for us with his own government, in times of public calamity, and is induced to lend more as the means of securing what has been already lent; especially if he has been regularly paid the interest of his capital."

It was likewise urged then, as now, that the wealth and influence of the bank might become dangerous to government. As to that, he says:—

"It is a political monster whose property may be ten millions of dollars, whose duration is perpetual. These circumstances are so terrible, that some are for putting the poor monster to instant death, while others, in their great goodness,

would only give him a hectic, which should work his dissolution in a dozen years."—"Calm conviction will therefore convince a candid man, that the wealth and influence of the bank can only become dangerous to the state, by *laying it at the mercy of great men in the state*. For it is utterly inconceivable that four or five hundred stockholders, of all ranks, parties, and denominations, should join in choosing directors, who would attempt to overturn the government. On the contrary, it is a truth vouched by uniform experience; from the earliest ages, that the moneyed interest of a country, will ever oppose, check and counteract, all changes and convulsions of government: because that interest is sure to be the victim of confusion and disorder."

One more quotation—In answer to a ridiculous objection, thrown in, as usual, on such occasions, *ad captandum*, Mr. Morris exclaims—

"This is a popular argument, and therefore it is made. But as to the truth of the assertion, the authors do not trouble their heads about it. Their maxim is, let us lay it on, and let them take it off as they can. *Some will stick*. Suppose this kind of morality were extended a little, and when these charitable kind hearted people walk the streets, one of their proselytes should bedaub them with the contents of the kennel, hugging himself in the idea, *that some will stick*, would they not find the practice of their own principles rather unpleasant?"—

We shall now follow Mr. Morris to Europe, and draw the attention of the reader to some of the important events which rendered the close of the eighteenth, and the commencement of the nineteenth century, so remarkable in the annals of the world. By this, his views and sentiments on the subject of the French revolution will be manifested—and the reader will have abundant occasion to admire the political foresight and sagacity for which he was so remarkable. That portion, too, of his biography and letters, which relates to France, is replete with striking sketches of character, agreeable anecdotes, and vivid descriptions of military operations.

Mr. Morris sailed for Europe, on some private business, in the latter part of the year 1788. The great drama—which, though apparently once ended, appears to be now reacted, and whose termination at present, seems as uncertain now, as it was at the period we speak of—had just opened. Mr. Morris had relations of intimacy with some of those who stood high in the ranks of the liberal party, particularly with the Marquis Lafayette, whom he had known in this country. Yet, from the first day of his arrival, he evinced no community of feeling with the revolutionists. He was convinced that a monarchy was the only suitable government for France; and was, therefore, unfriendly to the designs of those who wished to establish a republic. After his first interview with Lafayette, he wrote in his diary; "Lafayette is full of politics; he appears to be too republican for the genius of his country." He soon formed connexions of friendship and intimacy, with those in the other party, who preferred a moderate reform in the old system, but dreaded revolutionary projects and principles. Mr. Morris kept a diary from the moment of his first

arrival in Paris, which contains a record of his feelings on the events which were passing around him.

He went to France deeply interested in her welfare. He considered her the natural ally of our own country—and to the ruling sovereign of France, and his family, he had warm feelings of attachment, out of gratitude for the services they rendered America in the dark hours of her revolutionary struggle. He, moreover, believed the king to be an honest and good man, who earnestly desired the felicity of his people—he, therefore, wished him well—and was anxious that his government should be strengthened by the introduction into the ministry of good men of talents.

Of the French, who were eager for revolution, he had formed a very indifferent opinion—he thought them, as yet, unfitted by education for the enjoyment of freedom. As they had, before that period, felt severely the authority exercised in the names of their princes, they desired any and every limitation of that authority. Never having felt the evils of a weak executive, they were by no means properly impressed with a sense of the disorders to be apprehended from anarchy. The progress of atheism had destroyed, he thought, every virtuous sentiment in the breast of that large mass who were clamorous for what they called liberty. In a letter to General Washington, of the 29th April 1789, he thus speaks of them:—

“The materials for a revolution in this country are very indifferent. Every body agrees that there is an utter prostration of morals; but this general position can never convey to an American mind the degree of depravity. It is not by any figure of rhetoric, or force of language, that the idea can be communicated. A hundred anecdotes, and a hundred thousand examples, are required to show the extreme rottenness of every member.

“There are men and women who are greatly and eminently virtuous. I have the pleasure to number many in my own acquaintance; but they stand forward from a back ground deeply and darkly shaded. It is, however, from such crumbling matter, that the great edifice of freedom is to be erected here. Perhaps, like the stratum of rock, which is spread under the whole surface of their country, it may harden when exposed to the air; but it seems quite as likely that it will fall and crush the builders.

“I own to you that I am not without such apprehensions, for there is one fatal principle which pervades all ranks. It is a perfect indifference to the violation of engagements. Inconstancy is so mingled in the blood, marrow, and very essence of this people, that when a man of high rank and importance laughs to day at what he seriously asserted yesterday, it is considered as in the natural order of things. Consistency is a phenomenon.”—“The great mass of the common people have no religion but their priests, no law but their superiors, no morals but their interest. These are the creatures, who, led by drunken curates, are now in the high road *d la liberté*, and the first use they make of it, is to form insurrections every where for the want of bread.”

In the year '92 his opinion was the same, and so expressed by him in another letter to Washington, (vol. ii. p. 230.)

We have before adverted to the leading maxim of Mr. Morris, in politics, that laws must be suited to the character of a people;

and that before changing a government, you must change the character of the people by education. "Those," said he, "who form the sublime and godlike idea of rescuing their fellow creatures from a slavery they have long groaned under, must begin by instruction, and proceed by slow degrees; must content themselves with planting the tree, from which posterity is to gather the fruit." Looking, therefore, at the French nation as unfit, either by nature or previous training, for a republic, he considered a monarchy as the only suitable form of government for them. No anarchy, of course, could be preserved without the establishment of privileged orders in the state; the preservation, therefore, of a strong executive, and of the class of nobles, he considered essential to the happiness of France. When the nobles were destroyed, Mr. Morris saw at once the result to which matters unavoidably tended. The great support of the throne being removed, the only mark for the shafts of rebellion was the prince; and in the unequal struggle, he must, of necessity, fall. Anarchy would follow; and a military despotism be the end of all the mighty throes and struggles of misdirected efforts for freedom.

When the first Constitution was under debate, he said:—

"If they have the good sense to give the nobles, as such, some share in the national authority, that constitution will probably endure; but otherwise, it will degenerate into a pure monarchy, or become a vast republic, a democracy. Can that last? I think not. I am sure not; unless the whole people are changed." Vol. ii. p. 78. And again,—*"But whatever may be the lot of France in remote futurity, and putting aside the military events, it seems evident, that she must soon be governed by a single despot. Whether she will pass to that point, through the medium of a triumvirate, or other small body of men, seems as yet undetermined. I think it most probable that she will. A great and awful crisis seems near at hand."*

In the struggles of the French for freedom, no one felt a deeper interest than he. But his mind was constantly weighed down with the fear, that from the want of proper materials in the country, a military despotism would be the catastrophe. Writing to Mr. Pinckney, in 1792, he says:—

"An American has a stronger sympathy with this country than any other observer; and nourished as he is in the very bosom of liberty, he cannot but be very deeply afflicted to see, that, in almost every event, this struggle must terminate in despotism. Yet such is the melancholy spectacle which presents itself to my mind, and with which it has long been occupied. I earnestly wish and pray, that events may prove all my reasonings to have been fallacious, and all my apprehensions vain."

France was divided into three great parties—the aristocratic, or royalist party—the moderate, or middle men—and the republican, or, to use a more appropriate term, the jacobin party. The division of parties in that country now, is not unlike what it was then; substituting republicans for jacobins. Perhaps there may be now added a fourth class, called Napoleonists; who have de-

rived their name more from their attachment to a particular family, than, so far as we know, from any preference as a body to any particular set of principles. The moderate men were those who started the revolution. Lafayette, a real friend of liberty, was of this party. They hoped to balance the two extremes, and play off one set against the other. Mr. Morris well said, that this required great talents, as well as great address; and he early predicted, that they would fail. We have been forcibly struck, in reading anew these events, and Gouverneur Morris's profound reflections thereon, with the great applicability of many of his remarks to the present situation of that interesting country. The present prime minister belongs to that same party. He and his friends originated the late revolution: and he and his friends wish to stay its progress at the point which they deem essential to true freedom. Thus far, Perier has certainly shown great address and talents. How far he can prevail, time only can disclose. We confess our doubts of his final success. We are aware that there is a great difference between France in 1832 and the same country in 1789 and '92, when Morris predicted the fall of the moderate party. We believe there are, now, few jacobins there. She has gained little by years of blood and devastation, if she has not learnt to look with horror on the prospect of infidelity, and immorality, and cruelty, again stalking with giant strides throughout the land. The change has been great, and greatly beneficial. A well ordered liberty, we believe to be the desire of the great mass of the French people. But of these, we are inclined to think, that the republicans form a very numerous proportion. They are able and determined; and should they succeed in demolishing the privileged orders, the throne will soon tumble. But to return—Mr. Morris anticipated the death of the king. In a letter to George Washington, he says: "what may be his fate, God only knows: but history informs us, that the passage of dethroned monarchs is short, from the prison to the grave."

We have before stated his views of a proper government for France. The Constitution adopted in '91, having reduced the royal power below all reasonable limits, Mr. Morris clearly foresaw, could not last: he early predicted its overthrow. While it was under discussion, convinced that there was no possibility of forming such a one, as he knew to be alone capable of securing tranquillity to that distracted nation, he thus beautifully and feelingly dwells upon the subject:—

"This unhappy country, bewildered in the pursuit of metaphysical whimsies, presents, to our moral view, a mighty ruin. Like the remnants of ancient magnificence, we admire the architecture of the temple, while we detest the false god to whom it was dedicated. Daws, and ravens, and the birds of night, now

build their nests in its niches. The sovereign, humbled to the level of a beggar's pity, without resources, without authority, without a friend. The assembly, at once a master and a slave, new in power, wild in theory, raw in practice. It engrosses all functions, though incapable of exercising any; and has taken from this fierce, ferocious people, every restraint of religion and of respect. Sole executors of the law, and therefore supreme judges of its propriety, each district measures out its obedience by its wishes; and the great interests of the whole, split up into fractional morsels, depend on momentary impulse and ignorant caprice. Such a state of things cannot last."

Enough has been written to show the ideas which Mr. Morris entertained of the revolution in France, and to show also, with how much of the eye of a sagacious statesman he regarded it. He was equally acute in his insight into human character. From his diary, November 4, 1789:—

"Go to Madame de Staël, in consequence of her invitation of yesterday. A great deal of *bel esprit*. I think, that in my life, I never saw such exuberant vanity, as that of Madame de Staël, on the subject of her father. Speaking of the opinion of the Bishop d'Autun, on the church property, which he has lately printed, she says, that it is excellent, it is admirable; in short, that there are two pages in it which are worthy of M. Necker. Afterwards, she said, that wisdom is a very rare quality, and that she knows of no one who possesses it in a superlative degree, excepting her father."—Vol. i. p. 335.

From the same—March 27th—

"At 3, the Maréchal de Castries calls, and takes me to dine with M. and Mad. Necker.—A little before dinner Monsieur enters. He has the look and manner of the counting-house, and being dressed in embroidered velvet, he contrasts strongly with his habiliments. His bow, his address, say, "I am the man." If he is really a very great man, I am deceived; and yet this is a rash judgment. If he is not a laborious man, I am also deceived."

We believe that there is but one opinion of the correctness of Mr. Morris's judgment about this man. Of Mirabeau, he thus speaks:—

"April 4. The funeral of Mirabeau, attended, it is said, by more than 100,000 persons in solemn silence, has been an imposing spectacle. It is a vast tribute paid to superior talents, but no great incitement to virtuous deeds. Vices both degrading and detestable, marked this extraordinary being. Completely prostitute, he sacrificed every thing to the whim of the moment—Cupidus alieni, prodigus sui. Venal, shameless, and yet greatly virtuous when pushed by a prevailing impulse, but never truly virtuous, because never under the steady control of reason, nor the firm authority of principle. I have seen this man, in the short space of two years, hissed, honoured, hated, mourned. Enthusiasm has just now presented him gigantic. Time and reflection will shrink that stature. The busy idleness of the hour will find some other object to execrate or to exalt. Such is man, and particularly the Frenchman."

Speaking to Mr. Pitt, of the now ex-king Charles X., he remarked:—

"I recommend earnestly sending some man with the Count d'Artois, to keep him from doing foolish things." He had before said, "The Count d'Artois, alike hated, is equally busy, but has neither sense to counsel himself, nor to choose counsellors for himself, much less to counsel others."

In after life, he does not appear to have improved. Of Talleyrand, certainly one of the most extraordinary men of the age, Morris thus recorded his impressions:

"The Bishop d'Autun, who is one of our company, and an intimate friend of M^d. Flahaut, appears to me a sly, cool, cunning, ambitious, and malicious man. I know not why conclusions so disadvantageous to him are formed in my mind, but so it is, and I cannot help it." Vol. i. p. 312.

In one of his letters, he again speaks of him ;

"I have read the memoirs of Talleyrand, in which I find some truth, with a great deal of falsehood. Every thing is exaggerated, even his wealth and talents. His character, also, is mistaken. He is not exactly of a criminal disposition, though certainly indifferent between virtue and vice. He would rather do right than wrong, and would not, I believe, perpetrate a great crime." Vol. iii. p. 232.

Mr. Morris was one of the most valuable correspondents that the government of the United States ever had abroad. He looked at courts with a philosophic eye, and took pleasure in recording his opinions. He rendered minute accounts of all that transpired on the continent—the plans of the different belligerent parties—the probable chances of war or peace, and of success to one or other of the combatants. The bearings of these different events upon the prosperity of his own country, formed a frequent subject of his correspondence: and his extensive acquaintance, and habits of literary communication with influential individuals, afforded him the best opportunities for accurate information. While abroad as a public agent, he corresponded not only with the secretary of state, but very largely with General Washington—who honoured him with his respect and esteem; and whose full approbation of his public conduct, he anxiously courted, and most happily acquired. His letters are not mere unentertaining records of passing events; they are replete with varied and sagacious reflections: and often embrace a discussion of subjects, particularly of those connected with finance, in which the welfare of his country was deeply involved. We would refer particularly to his graphic descriptions of military operations, contained in his letters from Europe, as proof of the vivid manner in which he saw and could pen the important incidents of the day. They furnish copious materials for the historian—and are particularly interesting, as the remarks of one who was in some instances the eye-witness, and in all the cotemporary of what he related.

The early age at which Mr. Morris commenced his career, is not the least remarkable circumstance attendant on his life. He graduated at sixteen. At the age of eighteen, he wrote several essays upon the abstruse subject of finance, which displayed the experience of far more advanced years, while they exhibited the ardour of youth. At nineteen, he was admitted to practice law, in which he speedily acquired very great reputation—he was soon, however, called from the bar, to act a more exalted part. While at college, he was said to be more distinguished for quickness of parts, than for any extraordinary industry. Latin and the ma-

thematics were his favourite studies—and though he was blessed with a fruitful imagination, and even wrote rhymes in his youth, yet the science we have just mentioned appears to have been more suited to the logical cast of his mind. He was uniformly independent: he most freely formed and expressed his opinions, in a manner, it must be confessed, sometimes not sufficiently guarded by a careful respect for the feelings of others.

His great financial abilities we before adverted to: and they are well known. He had likewise been an attentive observer of human nature; and the varied events of his career afforded abundance of food for the gratification of his desire of observation and reflection upon life and manners.

In diplomacy, he was distinguished for great boldness and frankness: he came at once to the point; and as he sought no advantage by dissimulation, so he was not to be driven from his position by duplicity or intrigue. The good and the honour of his country were ever uppermost in his mind. Where that was concerned, the little interests of party were forgotten. The dignified tone assumed by Washington, in all his communications with foreign powers—a tone which was never lowered in order to obtain trophies by negotiation to secure place and influence at home—was ably supported by Gouverneur Morris.

It is known, that Congress, in appointing commissioners to negotiate the treaty of peace, sent instructions in regard to consultations with their allies, the French, which were thought by many to be derogatory to the dignity of the country. These instructions the commissioners felt themselves justified in disregarding. Mr. Morris wrote, at the time of his appointment, to Mr. Jay, in terms which show strongly his sense of the tone to be assumed by a free nation under the like circumstances.

“Although I believe myself thoroughly acquainted with you, yet I cannot tell whether I ought to congratulate or condole with you on your late appointment.”
 • • “When you come to find, by your instructions, that you must ultimately obey the dictates of the French ministers, I am sure there is something in your bosom, that will revolt at the servility of the situation. To have relaxed on all sides, to have given up all things, might easily have been expected from those minds, which, softened by wealth and debased by fear, are unable to gain and unworthy to enjoy the blessings of freedom. But that the proud should prostitute the very little dignity this poor country was possessed of, would be indeed astonishing, if we did not know the near alliance between pride and meanness.”—Vol. i. p. 237.

“Men who have too little spirit to demand of their constituents that they do their duty—who have sufficient humility to beg a paltry pittance at the hands of any and every sovereign—such men will always be ready to pay the prices which vanity shall demand from the vain. Do I not know you well enough to believe, that you will not act in this new capacity?”—*Ib.*

The patriotism of Mr. Morris was warm and exalted. He indulged high expectations of the future greatness of his country, which have been more than realized. Often did he give vent in

animated expressions to his patriotic hopes. "Happy America," said he, "where alone, I verily believe, both freedom and virtue have their real and substantial existence!" In a letter to John Jay, he thus writes:—

"I trust that my country, in proportion as she acquires dignity by wise and honest measures, will show to others the respect and attention, which, while they flatter and conciliate the weak, on whom they are bestowed, shed lustre on the greatness from which they emanate. I wish—but why attempt to express those hopes and wishes, which constantly swell my heart, for her prosperity?"

Writing to Mr. Carmichael, on the anniversary of our national independence, he says:—

"Before all things, I am reminded as I go along, that this day, the birthday of our republic, demands our filial acknowledgments. A day, now at length auspicious; since, by the establishment of our new Constitution, we have the fair prospect of enjoying those good things, for which we have had so hard a contest. Indulge, I pray you, the effusion of my heart, which gratulates itself on this occasion. Feel with me, the transports which I cannot but feel, when every letter from America brings confirmation of the public happiness, and announces some additional cement to our national Union, or some useful exhibition of national authority."—Vol. ii. p. 72.

Gouverneur Morris entertained, very properly, a high sense of the honour to be maintained in the private intercourse of gentlemen, and of the vital importance of preserving inviolate, the confidence of private communications. When asked to divulge conversations held by him with Mr. Jefferson, he gave the following noble answer:—

"It would, I conceive, be indelicate to bring forward, publicly, the conversation which Mr. Jefferson held with me, for he certainly could not have intended it for the public; and whatever may have been, or may be, his conduct towards me or my friends, there is, I think, a sanctity of social intercourse among gentlemen, which ought not to be violated." Again, he wrote in answer to a similar request: "I told you then, as I feel myself bound to tell you now, that although the information I received, was not expressly under the seal of confidence, yet it was in that sort of conversation, where, among gentlemen, there is so much confidence implied, that it would be indelicate to cite facts, unless, perhaps, to eulogize another after his death."

It would be better for our social state, were these sentiments and this practice more common.

Good strong sense was a characteristic of Mr. Morris's mind. His epistles contain the best advice; particularly to youth. After speaking of genius and science as pleasing and ornamental, but of morals and industry as useful and essential, and enforcing the truth of the old proverb, that idleness is the root of all evil, in a letter to Mrs. Sarah Burns, he adds, having mentioned the professions as overstocked:—

"Commerce and the useful arts present a wider and more fertile field, especially the latter, which, cultivated with integrity, industry, and moderate ability, ensure competence, and are frequently recompensed by wealth. They ensure what is of more importance to a generous spirit, *independence*.

"There are certain prejudices on this subject, which affect weak minds, and are justly despised by the wiser and better part of mankind. I have met with mechanics in the first societies of Europe, from which idlers of high rank are

excluded; and was once introduced by a coppersmith to the intimacy of a duke."—Vol. iii. p. 234.

We recommend the following extracts from another letter to a young man, as containing cheering encouragement for the youthful lawyer, of which so many stand in need:—

"If the learned professions do not open splendid prospects, and require much labour in youth, they give security for both ease and competence at a future day. Six weeks of close application, rejecting all invitations to pleasure, will make study pleasant. Six months will render the enjoyment of that pleasure habitual. If you study law as a science, beginning with ethics, proceeding with the law of nature and nations, and then combining the history of England with the study of our municipal law, you will trace, with indescribable satisfaction, the progress by which the state of society and manners has brought the civil and criminal code to its present form. You will then, in the seemingly barbarous jargon of special pleas, find traces of ancient custom combined with the principles of reason. Your mind will expand, and the field which now appears full of thorns, will be strewed with roses. Add to this, that so long as our country shall remain free, a gentleman professing the law must be of the most respected order of citizens."

He then warns his correspondent of the danger of supposing himself a young man of genius; and remarks, that a boy of lively parts is apt to believe himself the favourite of heaven, and that he can know every thing by intuition, which is a great mistake. In fine, he advises all young persons to think humbly of their parts, and do what is in their power to cultivate them.

His mind was of a practical cast. "In politics, as in every thing else," says his biographer, "he preferred practice to theory." He made the following pleasant remarks, after listening to some of Count Rumford's abstractions:—

"Go from court to see Count Rumford, and sit with him a good while. He reads to me his day's labour, in which he has reasoned himself into a belief that the life is, as *Moses says*, in the blood; and that it consists, *which Moses does not say*, in the operation of heat and cold, &c. My solution of all such abstruse questions is, that things are so and so, because God pleases that they shall be so."

Fond of society and of free conversation, he indulged in it his favourite occupation of studying men and manners. To mere card-playing he was very averse. He therefore did not enjoy the society of Vienna, where every body loved play, and talked very little. He noted once, as a remarkable thing at a small party there, "that there had been some pleasant conversation."

Generosity was a prominent trait of Mr. Morris's character. His money was always at the disposal of his friends. The present King of France, in some of the reverses of fortune, to which no man has been more exposed, was forced to rely upon the liberal advances of Mr. Morris for his support. He received from him, at different times, thirty thousand dollars. This was all repaid, by the Duke of Orleans, with interest. Madame Lafayette was another object of his bounty. It is known, that Lafayette and Mr. Morris differed, *toto cœlo*, in their views of French politics; and that this, in some measure, estranged them from

each other. But when fortune frowned upon that good man, no one of his friends exerted himself with more earnestness to procure his release and afford him succour, than Mr. Morris. His family were in distress—he advanced them 100,000 livres out of his private funds.

The confidence entertained by others in his integrity, may be exemplified by the fact, that when the unfortunate Louis contemplated his flight, he selected Mr. Morris as the depositary of some funds he was anxious to dispose of securely. The sum of 748,000 livres was left with him. To dispense this money to the proper persons, gave him, afterwards, much trouble.

We have confined our extracts to those parts of the work which exemplify the character and writings of Gouverneur Morris. It contains, however, much, both new and interesting in regard to others. An account of this, would extend too far the limits of this article. For it, we must refer to the book itself. We cannot, nevertheless, omit some extracts from the letters of that man, of whom, the more we see, the higher are our ideas raised. The character of Washington, unlike that of most other mortals, is one, which, the deeper you probe it, the more perfect seems its thorough soundness; no speck has been found upon the clear and pure surface of his almost superhuman character. Most of these letters have never before been published, and will be read with delight by all.

In answer to Mr. Morris's pressing solicitations, that he would accept the presidency, he says:—

"I have really very little leisure or inclination to enter on the discussion of a subject so unpleasant to me. You may be persuaded, in the first place, that I hope the choice will not fall upon me; and in the second, that if it should, and I can, with any degree of propriety, decline, I shall certainly contrive to get rid of the acceptance. But if, after all, a kind of inevitable necessity should impel me to a different fate, it will be time enough to yield to its impulse, when it can be no longer resisted."—Vol. i. p. 293.

Speaking of the true policy of this country, he says:—

"The affairs of this country cannot go amiss. There are so many watchful guardians of them, and such infallible guides, that one is at no loss for a director at every turn. But of these matters, I shall say little: if you are disposed to return to it, I will leave you to judge of them from your own observation. My primary objects, and to which I have steadily adhered, have been to preserve the country in peace, if I can, and to be prepared for war, if I cannot; to effect the first, upon terms consistent with the respect which is due to ourselves, and with honour, justice, and good faith, to all the world."—Vol. ii. p. 445.

Again; he writes to Mr. Morris in 1795:

"It is well known that peace has been (to borrow a modern phrase) the order of the day with me, since the disturbances in Europe first commenced. My policy has been, and will continue to be, while I have the honour to remain in the administration, to maintain friendly terms with, but be independent of all the nations of the earth; to share in the broils of none; to fulfil our own engagements; to supply the wants, and be carriers for them all; being thoroughly convinced, that it is our policy and interest to do so. Nothing short of self-respect, and that justice which is essential to a national character, ought to involve us in

war; for sure I am, if this country is preserved in tranquillity twenty years longer, it may bid defiance, in a just cause, to any power whatever; such, in that time, will be its population, wealth, and resources." Vol. iii. pp. 65, 66.

May not the following remarks of that great man, find an application now?

"If the people of this country have not abundant cause to rejoice at the happiness they enjoy, I know of no country that has. We have settled all our disputes, and are at peace with all nations. We supply their wants with our superfluities, and are well paid for doing so. The earth, generally, for years past, has yielded its fruits bountifully. No city, town, village, or even farm, but what exhibits evidences of increasing wealth and prosperity; while taxes are hardly known, but in name. *Yet by the second sight, extraordinary foresight, or some other sight, attainable by a few only, evils afar off are discovered by these few, alarming to themselves; and as far as they are able to render them so, disquieting to others.*" *Ib.* 80.

Well would it be for the true prosperity and dignity of the country, if it could be said of all, with as much propriety as it was of Washington, by Gouverneur Morris, in answer to an application on behalf of some one, for the use of his interest:

"Do not, I pray you, imagine, that I have any influence in America; for I seriously assure you that I have none; indeed, the president, and most of those about him, are uninfluenced, except by reason and a sense of propriety."

We close with a quotation from a letter of Mr. Morris to that same illustrious man. The admiration, amounting almost to adoration, of millions, attests the truth of the prediction towards its close.

"I am delighted with the account you give me of our public affairs. There can be no doubt that a publication of the census, and a clear state of our finances, will impress a sense of our importance on the statesmen of Europe. We are now getting forward in the right way, *not by little skirmishing advantages of political manoeuvres, but in a solid column of well formed national strength.* Like Father Mason's aristocratic screw, which you doubtless remember, at every turn we shall now gain, and hold what we get. It is no evil that you should have a little of the old leaven. I have always considered an opposition in free governments, as a kind of outward conscience, which prevents the administration from doing many things through inadvertence, which they might repent of. By these means, both men and measures are sifted, and the necessity of appearing, as well as of being right, confirms and consolidates the good opinion of society. I expect, and am indeed certain, *that this good opinion will live with you during life, and follow weeping to your grave.* I know you will continue to deserve it, and I hope you may long live to vex your enemies by serving your country." Vol. ii. p. 131.

ART. VIII.—DOCTRINE OF PROBABILITIES.

- 1.—*Library of Useful Knowledge. On Probability. Parts I. and II.* London: 1830.
- 2.—*Report from the Select Committee on Life Annuities. Ordered, by the House of Commons, to be printed; 4th June, 1829.*
- 3.—*Report of John Finlaison, Actuary of the National Debt, on the Evidence and Elementary Facts on which the Tables of Life Annuities are founded. Ordered, by the House of Commons, to be printed; 31st March, 1829.*
- 4.—*A comparative view of the various Institutions for the Assurance of Lives.* By CHARLES BABBAGE Esq. M. A. &c., &c., &c. London: 1826.

EVER since Pascal devoted the powers of his original mind to the subject of probabilities, it has been growing into a science of the greatest exactness. The keen shaft of ridicule which he hurled with such admirable skill, in his *Lettres Provinciales*, against the casuistic dogma, that the opinion of a theological doctor determined the existence of a probability, will ever be remembered as among the happiest efforts of his satirical pen; while the satisfactory answers which he gave to the questions propounded to him by *de Mérté*, will fully justify the use which he made of this powerful instrument in the ascertainment of truth; as they will also rank him as the father of this science. Rarely indeed has it happened, that one mind has combined the perceptions of original truth, with the power to exhibit the deformities of error and prejudice, in so masterly a manner; he, at once, discovered and established the true principle of probability. It was not so with Copernicus, when he gave to the world his theory of the celestial motions, in opposition to those who would—

“—————build, unbuild, contrive
To save appearances, and gird the sphere
With centric and eccentric scribbled o’er
Cycle and epicycle.”

Nor yet even with Newton, when he published his immortal work. The current of error and superstition set strong against both; to divert which, it required the lapse of time and the aid of other intellects:—so firm a hold does received opinion retain upon the mind, despite of the dictates of reason.

And even at this late day, an author who treats of the science of probability, is liable to have his motives impugned, and his efforts decried, by those who forget the important applications of its principles to the great concerns of life, in the lurking danger which they may perceive in its use in games of hazard. It is

unfortunate for many of the modes of increasing the comforts of life, that their use is compounded with their abuse; and it is especially so for the science of chances, where sentiments which have their birth in religious feeling, exert a peculiarly unfavourable influence.

We may, then, observe, *en passant*, that the prejudice against the doctrine of probabilities is equally unfounded, and repugnant even to the common processes of reasoning and to the ordinary rules of action: for, in fact, the greater part of our knowledge is but probable, derived by analogy and induction; and thus, though it obtain full faith and credit with the many, it is received with care, and with a due regard to opposing probabilities, by the philosopher. Our belief that the sun will rise on the morrow, is but a probability founded upon the observance of the regularity with which it has heretofore risen; we assume it as a law deduced from past experience, and apply it to the conduct of the future: and it is evident that we have no higher foundation for our credence, than the hypothetical conclusion that nature will be uniform in her operations. It is easy to perceive, that our faith in the rising of the sun does not depend upon its being morally impossible that it should not rise. So, also, the statesman, when he determines upon any measure of prospective effect, forms his resolution upon the history of the past, which is nothing more than a series of probabilities, and which leads him to suppose that its experience will apply for the future. The whole groundwork of his proceeding, is a reliance upon the testimony of others; and, therefore, may possibly be false, though, from the strength of the possibility that it is not, he is induced to consider it as certain. The same rules are adopted by every one, in the most ordinary duties of life.

We regard the doctrine of probabilities, in one point of view, at least, as inculcating a great moral truth; and as opening an avenue for the admission of light upon our benighted minds. It serves to show that we are ignorant of the causes or laws of the most ordinary events; to put before us a true mirror, wherein we may see how pompously and vainly we have arrayed ourselves; to sound for us the shallowness of human knowledge; in a word, to lead us to a more correct estimate of ourselves. Take the simple and unlettered man; and the most striking moral difference between him and his more intelligent neighbour, will be observed to consist in his greater credulity; the degree of which will be found to be the measure of intelligence in all men. But mark the operation of this principle. He who believes readily and firmly, in all cases, takes *probable* truths with the same confidence that he does *certain* truths; and *possible*, with the same faith that he does *probable*; and thus doing, he is ignorant of the sources and founts of knowledge, as he must also consequently be

of its real nature. It has become as a thrice told tale, which is wearisome to the ear, that advancement in human knowledge teaches us how empty are its pretensions; and, we may say, that he who studies the science of probabilities with attention, must arrive at this same conclusion, and terminate his meditations with subdued and humbled feelings.

This science, however, derives its importance from the assistance which it renders to the judgment in reducing all events of one description to a certain number of equally possible cases; by means of which, a balance may easily be struck, between those which are favourable, and those which are not. It provides certain and determinate rules for our aid in all probable events, and enables us to give them the greatest degree of *certitude* to which they can be entitled. It does not pretend to discover new facts, but to prevent deception in our reasoning, by divesting the subject of our inquiry of numerous and confusing, but unimportant circumstances. It affords us a square by which we may quadrate our opinions with the utmost correctness of which the event may be capable.

Much of the opposition with which the doctrine of probabilities has had to contend, has arisen from an obscurity in relation to the meaning of the word *chance*. By many it is considered as applying to events which have no cause other than a direct interposition of the Deity; and, therefore, (and very justly were this true) that it is impious to resort to any operation which may seem to depend upon this principle. It was, however, long ago, observed by James Bernoulli, in his treatise *Ars Conjectandi*, that chance has reference only to the state of our knowledge. We refer an event to this explanation, only when we cannot discover the law which controls it, and not in respect of its having no cause. Thus, when a die is thrown, it may fall six or an ace, according as the player may have taken it up in a peculiar manner, or have shaken it a certain number of times, or thrown it out with singular force. We are unable to detect the laws which govern these various movements, though we cannot doubt that such laws exist; and we, therefore, act as if they did not decide the event. This inclination of the mind was observed by a distinguished writer of the last age: "though there be," says Hume, "no such thing as a chance in the world, our ignorance of the real cause of any event has the same influence on the understanding, and begets a like species of belief or opinion."*

Though we are unable to decide positively upon the happening or failure of an event which depends upon chance, we may, at least, give the probability which belongs to either or both contingencies; and, consequently, lay down positive rules for our

* See his *Inquiry concerning Human Understanding*, Section vi.

guidance in all cases, as we shall presently see, which are to be classed as probable.

The chances possible to decide any event being supposed equal, the mathematical probability may be defined to be that which results from dividing the number of favourable chances by the whole number of chances; and may be represented by a proper fraction,—*unity* being the representative of certainty, and *zero* of no chance; and if we denote the number of chances unfavourable to an event by y , and the number of chances favourable by x , we shall have the simple expression $\frac{x}{x+y}$, as the ex-

pression of the probability; and if we further denote this expression by m , the contrary probability will be represented by $1-m$; the sum of the opposing probabilities, (one that an event will happen, and the other that it will not,) being equivalent to unity. We may further illustrate this idea by supposing an urn to contain a certain number of balls, say twenty-five, and that five of these are coloured red, and the remaining twenty white. The probability of drawing out a red ball will be represented by the fraction $\frac{5}{25}$ or $\frac{1}{5}$, and the probability of drawing out a white one will be represented by $\frac{20}{25}$ or $\frac{4}{5}$; and the sum of these probabilities by $\frac{5}{25}$ or $\frac{1}{5}$ or 1.

In deciding upon an event, individuals will differ according to the different data upon which they form their opinions; some having more, and some less, they will of course arrive at different conclusions. The same fact related to many individuals, will obtain different degrees of belief, according to the extent of their knowledge in regard to it; and it is on account of this circumstance that we see such marked differences in the effects of a fact related to a large audience. If the speaker be deemed a man of truth and veracity, he will gain credit with all those who have no other means of information; but if any of his auditors are aware that the facts which he may relate are denied by others of equal respectability, they will doubt: and if any know their falsity from personal knowledge, they will reject them entirely. So, if we suppose an urn to contain a white, and two red balls, and that A draws one out; if he tells B that he has drawn out the white ball, without showing it to him, and if B believe him, the probability will be $\frac{1}{3}$; now, if the contrary be asserted by C, who has an opportunity to see it, and who possesses equal credibility with A, B must reject both their declarations, and the probability of its being the white ball will be $\frac{1}{3}$; lastly, if B sees the balls remaining in the urn, the probability becomes 1 or 0 according as they are both red, or one white, and one red. In each of these cases, B will form his judgment upon different data from those which he has in the other two. We see from this, how

various are the grounds of opinion, as well as how diverse may be the evidence among a number of individuals, even upon the most trifling points; "Quelle indulgence" is the language of Laplace "ne devons-nous donc pas avoir pour les opinions différentes des nôtres; puisque cette différence ne dépend souvent que des points de vue divers où les circonstances nous ont placés. Eclairons ceux que nous ne jugeons pas suffisamment instruits; mais auparavant, examinons sévèrement nos propres opinions, et pesons avec impartialité leurs probabilités respectives."*

Two expressions have been introduced into the science of probabilities, which have grown into considerable importance from the discussions which have engaged mathematicians in regard to questions referrible to them; these are the *mathematical* and *moral* expectations of the French writers. The former may be explained by supposing that two players agree to divide the stakes before the event upon which they depend is decided;† each will accordingly have a hope or expectation proportioned to his probability of gaining multiplied into the amount deposited; this is his mathematical expectation. The absolute value, however, of a sum of money, does not give the precise measure of its worth; this depends in a great degree upon the fortune, the wants and necessities, or the possessions of an individual. Five dollars to one who possesses an hundred thousand, are not of so much real value, as they are to one who possesses no capital, and depends for subsistence upon his daily labour. This value, which may be called the relative value of a sum of money as applied to individuals, is, when the sum is infinitely small, equal to the absolute value divided by the whole worth of the money to the supposed individual. From this principle, we have the following rule:—in denoting by unity the part of the fortune of an individual, which is independent of his expectations; if we determine the different values which this fortune can receive by reason of such expectations, and their probabilities; the product of these values raised respectively to the powers indicated by such probabilities, will be the *physical fortune* which would procure to the individual the same moral advantage which he would receive from the part of his fortune taken for unity, and from his expectations; in subtracting then unity from this product, the difference will be the increase of the physical fortune due to the expectations:—this increase M. La Place‡ calls the moral expectation, (*espérance morale*).

The principle involved in this idea, first attracted the notice of mathematicians in the celebrated Petersburg problem, pro-

* *Théorie Analytique des Probabilités*. Introduction.

† This is one of the questions which were proposed by the Chevalier de Mére to Pascal.

‡ *Théorie Analyt. &c.*

posed by Nicholas Bernoulli, the nephew of John, to Monmort, who has given it in his *Analyse des Jeux de Hasard*.* It was revived by Daniel Bernoulli, in the Petersburg transactions, from which circumstance it receives its name. It is thus—A and B play a game of long odds, (termed by the French, *croix ou pile*;) A, tossing up a piece of money, engages to give to B one dollar, if it fall head the first time; two dollars, if it fall head the second time, and not the first; four dollars, if it fall head the third time, and neither the first nor the second, and so on, doubling the amount at each toss; the amount to be paid by B, at the commencement of the game, is required. Now, the mathematical expectation would teach us, that the sum at first given by B, to entitle him to this chance, should be equal to the number of tosses; so that if they be infinite, this sum should be infinite. But there is no sensible man who would engage in so ruinous a game. This is the paradox which has so much exercised the acumen of writers upon this science, among whom we recognise some of the brightest names in the history of the mathematical sciences. The consideration before mentioned, will assist us to an explanation;—that circumstance of fortune may forbid B from engaging in the game; he may not have “the opportunity of repeating the venture often enough to repair the loss which may accrue to him in a single trial, and the sum ventured may be so great that its loss would occasion him an inconvenience not at all counterbalanced by the advantages which he could derive from his contingent gain.” We should, therefore, distinguish between the relative and the absolute values in the expectation.†

We find a like precision of definition attempted by some writers, in regard to the phrase *moral certainty*; which, in common speech, signifies nothing other than the strongest possible probability in regard to the failure or fulfilment of an event. Thus Buffon regarded the fraction $\frac{1}{100000}$ as indicating the least probability, and the fraction $\frac{99999}{100000}$ as indicating the greatest, or *moral certainty*; accordingly the first might be, for the purposes of calculation, considered as zero, and the latter as unity. There seems, however, to be no good reason for fixing the numerical value at this arbitrary fraction, rather than at many others, especially as it must vary under different circumstances.

It is not merely to games of chance that we are to look for the

* Problem V.

† We subjoin the analytical expression of this problem, for the notice of the mathematical reader. The probabilities of B are—

$$\frac{1}{2}, \frac{1}{4}, \frac{1}{8}, \dots, \frac{1}{2^n} \text{ of gaining } \$1, 2, 4, \dots, 2^{n-1}$$

as the money falls head, the 1st, 2d, 3d . . . nth time. The mathematical expectation will, thus, be—

$$\frac{1}{2} \times 1 + \frac{1}{4} \times 2 + \frac{1}{8} \times 4 \dots + \frac{1}{2^n} \times 2^{n-1} = \frac{n}{2}$$

application of the principles of probability ; but to the most interesting and important branches of human inquiry. A moment's reflection will satisfy us as to the numerous and highly important uses to which they may be directed ; questions in morals, physics, and politics ; in fact, in every science but the pure mathematics, are solved by them with more or less precision ; all of our reasonings upon contingencies, which constitute the greater part of the sciences, involve in them these principles. He, then, egregiously errs, who considers the doctrine of probabilities as but a curious study, which may beguile a leisure hour, or drive away the demon of *ennui*, or at best put him on his guard against the practices of the artful gamester. Indeed, for such purposes alone it might justly be deprecated by every friend of virtue and correct public morals, as a source of iniquity and crime, holding out temptations to the weak, and ministering to the vile passions of the depraved. But, its intimate connexion with all human knowledge ; its beautiful applications to philosophical and moral subjects ; its astonishing aid to the judgment, leaving little to doubt and arbitrary choice ; withal, the discipline which it exerts over the mind, should entitle it to our highest consideration. It is, however, to be understood, in order to be appreciated. It may be considered as yet in its infant state, though in regard to the purposes for which it has been used, it has evinced the might of an infant Hercules. We shall briefly advert to some of its most striking applications, before we proceed to the one in particular which is pointed at in the three latter publications at the head of this article ; embracing with pleasure and alacrity the opportunity of directing the attention of our readers to a science so much neglected, and, among ourselves, at least, so little understood.

There are so many sources of error in the investigation of natural phenomena, so many circumstances which exert an influence upon them, that it becomes desirable and necessary, in applying the calculus of probabilities, to obtain laws and formulæ which are independent of them. This has been accomplished ; and it may now be deemed as among the first applications of the science, that it refers with exactness to questions in natural philosophy ; and in astronomy, especially, where it has been used with such distinguished success by Laplace. Of this, one example will suffice : practical astronomers had discovered certain irregularities of Jupiter and Saturn ; and one, noticed by Dr. Halley, seemed to denote a retardation in the motion of Saturn, and an acceleration in that of Jupiter ; so that the year of the former was increasing, and that of the latter decreasing. No light, however, was thrown upon this circumstance, until Euler submitted to analysis the changes which their mutual action would produce upon their motions. The same was done by Lagrange ; but these two mathematicians differed so widely in their results, that La-

place undertook again the investigation of the problem. He found that this change was, anomalous as it seemed to be, a just consequence of the law of gravitation and of the peculiar relation which the two planets had to each other; having been led by the consideration of several observations to consider the inequality *probable*. Thus, in considering the mean motions of Jupiter and Saturn, it was seen that twice that of the former was equal to five times that of the latter; and as these periods are commensurable, it is obvious that the same relative position will happen every ten years, which must have an observable effect. This was but one of the probabilities which occurred to Laplace, and assisted him in determining the true nature and cause of the inequality.* In like manner, he discovered the cause of the secular equation of the moon, and the singular law of the mean motions of the first three satellites of Jupiter: that the mean longitude of the first, multiplied into twice the mean longitude of the third, is equal to three times the mean longitude of the second, increased by an arbitrary constant. The science of probabilities is no less applicable to geodesic operations; to atmospheric phenomena and questions in meteorology; and even to the treatment of diseases, inoculation, &c.

Condorcet was the first, we believe, to apply analysis to the probability of testimony; to the judgment of tribunals; and to the choice of voters. It is evident, that the veracity of a witness, the competency and integrity of judges, the harmony of interests, and freedom from passion, of a numerous body of men, are not to be calculated upon with certainty; but on the contrary, that a thousand complicated circumstances will enter, and render it impossible to decide. We can, however, make approximations, which will assist us much more than specious argument, by resolving questions analogous to those proposed, and by considering the more important circumstances which are likely to intervene.

Though liable to be influenced by many and various accidental circumstances, our actions are nevertheless the result of the natural laws of our constitution; and so far as these are ascertained, the science of probabilities can be applied to them with as much certainty as to other phenomena in nature. It is true, that it refers to probable results; yet it is in itself as sure a branch of knowledge and reasoning as any that may be named, inasmuch as it only proceeds upon data which are well founded. So that morals, as well as physics, in so far as the one and the other are based upon well ascertained facts, receive with the greatest aptitude the applications of this science. Our reasonings too, in

* The whole period occupied by this change is a little more than nine centuries; it then reaches its maximum, and begins to return. These planets are not subject to any permanent variation.

regard to questions of this kind, naturally assume the form of calculation; and by weighing opposing arguments, and striking a balance between them, we only decide on which side the greater probability exists. This method was distinctly laid down by Franklin, who gave to it the name of *Moral Algebra*. In a letter to Priestley, after referring to the cases that occur in which it is difficult to form an opinion, he continues:

"To get over this, my way is, to divide a half sheet of paper by a line, into two columns, writing over the one *pro*, and over the other *con*: then during three or four days' consideration, I put down under the different heads, short hints of the different motives that at different times occur to me *for* or *against* the measure. When I estimate their respective weights, and when I find two (one on each side) that seem equal, I strike them both out. If I judge some two reasons *con*, equal to some *three* reasons *pro*, I strike out the five; and thus proceeding, I find at length where the balance lies; and if after a day or two of further consideration, nothing new that is of importance occurs on either side, I come to a determination accordingly. And though the weight of reasons cannot be taken with the precision of algebraic quantities; yet, when each is thus considered separately and comparatively, and the whole lies before me, I think I can judge better, and am less liable to make a rash step: and in fact I have found great advantage in this kind of equation, in what may be called *moral* or *prudential algebra*."^a

This practical method of our philosopher, is no more than what every logical mind performs for itself; and may be considered as constituting the substratum of the calculus of probabilities.

In regard to the decision of a jury, consisting, say, of twelve individuals, when it is rendered by the least majority of which that number will admit, that is of seven against five, it is evident that the probability that it is a correct one, is very small: it is therefore a very wise regulation in our law, that demands an unanimity among the jurors, and one which is dictated no less in a spirit of justice than of humanity, when we consider the imperfections of human nature. But even here, the probability of each juror's giving a correct decision, is not the same of those upon the same jury. Much will depend upon their character, and upon the nature of the subject matter upon which they are to pass. Thus it is, that unless there exists a probability of each juror's giving separately a correct decision, an unanimous decision amounts to little if any thing more than a simple majority.

A very useful application of probabilities has been made to the subjects of mortality, and of annuities and reversionary payments. Of late years, especially, these have engaged a large share of the public attention; and we shall accordingly devote the remainder of this article to a review of them in connexion with the works before us.

The volume of Mr. Babbage, is the first in the order of time.

^a Letter to Dr. Priestley, dated Lond. Sept. 19, 1772. Franklin's Works. Vol. vi. p. 72.

It affords us a comparative view of the London assurance companies; though the facts and principles which he produces and develops, are as applicable here as there; a remark which applies with equal justice to the sketch given by his predecessor, Mr. Baily, in the fourteenth chapter of his "*Doctrine of Life Annuities and Assurances.*" In reference to the motives and object of his publication, Mr. Babbage observes:—

"Having been induced, from several circumstances, to bestow some attention on the subject of assurances on lives, I could not help observing how very imperfectly the merits of the numerous and complicated institutions for this purpose, were understood even by persons otherwise well informed; to this circumstance may be attributed the publication of a work which has few claims either to novelty or originality." *Preface*, p. viii.

With the exception of a few venial errors, the writer has executed his task with that ability which was to be expected from his acknowledged skill in the mathematical sciences; though its delicate nature, and the fearlessness with which he has discharged himself of it, has provoked the hostility of those interested in the abuses which he has exposed.

Mr. John Finlaison's Report was prepared in obedience to a requisition of the lords commissioners of the treasury; and presents a statement of the facts and conclusions deduced from the observations on the mortality of the nominees in the Tontines, and sets of life annuities, from time to time, instituted and granted by the British government; artifices, we may remark by the way, much more commendable than the demoralizing system of lotteries, which that government has set the example of forever abolishing. Many valuable tables are appended to this report; and if drawn up with the care and fidelity with which he assures us they were, they must constitute the most important that have yet been submitted to the public eye; purporting, as they do, to have been framed with the greatest accuracy, and to show the name of each person alive on a given day, his age, the subsequent enrolments, the date of death, and, (if absent and not dead) the date of desertion, and finally, the persons who survive. From tables thus formed, it is obvious, that the probability of life can be ascertained with the greatest precision, in regard to that class who avail themselves of these schemes.

The other report recommends a singular, and to us a very visionary project, of providing a means by which the poor may lay up a support against old age and infirmity. It is proposed that the depositors in a savings bank, should be allowed to transfer from time to time their deposits from that account, to an annuity account; for which they should receive annuities on their lives, from the commissioners of the national debt.

The probabilities of life, which are the foundation of the calculations of annuities and assurances, are deduced from tables of

observation, commonly called tables of mortality, which are formed from registers of the birth and decease of a large number of individuals. These registers should show the number that die in each year, and the number that survive at its close; and for the first years of existence, the respective numbers during, and at the termination of each half year, on account of the great mortality among infants. The mean duration or probability of life, at birth, may then be readily ascertained by dividing the gross sum of the years of the life of all, by the number of individuals; and in the same manner, may be determined the probability, after having reached a certain age, by taking the observations from that age, and proceeding as before. So also the probability of reaching a certain age, is found to be the same with the relation which exists between the individuals who attain the two ages.

In applying these principles to the practical construction of tables, we should be careful to note several circumstances which materially affect their applicability to common use. The place of observation may be marked for its healthy situation, its general salubrity, and the fertility of its soil and ease of subsistence, or for their opposites. The persons observed, may be generally engaged in agricultural, commercial, or manufacturing pursuits, may follow avocations that are peculiarly favourable or unfavourable to the prolongation of life. Another very important circumstance, is the generality of the practice of inoculation, which has been shown by M. Duvillard, in his *Analyse de l'influence de la petite vérole sur la mortalité*, to have added at least three years to the mean duration of life. It has, we know, become quite common of late, to question the truth of this fact, by many who seem unwilling to admit the improvements in medical treatment, and who assert that the predisposition to this disease, is only diverted to other maladies as fatal and universal. We consider it, however, too well established to be controverted by other than numerous and well conducted observations, which has not yet been done.

We have as yet supposed that the population was stationary. This, however, is seldom actually the case in thickly settled places, where there is a continual influx of new settlers, and where these tables are applied to use. To remedy this difficulty, Dr. Price lays down a rule; the application of which, however, is accompanied with some additional labour in practice, in consequence of the introduction of a new datum. It is simply this— from the sum of all that die annually, *after* a given age, subtract the number of annual settlers *after* that age; and the remainder will be the number of the living *at* the given age.* It becomes

* Observations on Reversionary Payments, &c. Vol. ii. p. 84.

necessary further, where the population is either increasing or decreasing, that the number of the living, as well as that of the annual deaths at each age, should be known, the same as in other cases. In order to ascertain the rate of mortality in the case now named, the number of persons residing in the given district, with the age of each, should be taken, and an annual register should be kept of the deaths in each year of their age, for a certain term, say of ten years, one half of which might succeed, and the other precede the time of the enumeration of the inhabitants: now, if the number of inhabitants of every age varies by equal increments or decrements, during this term, the mean of the annual deaths in every year of age, will be the same as if the population had been stationary at the number when the enumeration was made.

The tables which have heretofore been used, have generally been formed from observations upon an indiscriminate population: but, as we shall show, they are exceedingly imperfect for the purposes for which they have been applied; and should be discarded for others which may be, and have been formed from observations upon that class of persons, by whom the various establishments for making assurances, and granting annuities, have been simplified. The first table was formed by Dr. Halley, and published in the *Philosophical Transactions* of 1693, from the bills of mortality of Breslaw, in the dutchy of Silesia, from 1687 to 1691 inclusive; the population of which town, he considered as stationary, and the births and deaths as being very nearly equal. Mr. Simpson, who published his *Doctrine of Annuities and Reversions* in 1742, adopted Mr. Smart's tables of the mortality of London, as the basis of his rules. But the earliest complete set of tables constructed upon the principles of examinations of mortuary registers, were those given by Dr. Price in his *Observations on Reversionary Payments*, and well known as the Northampton tables. These are more to be valued for the aid which they have rendered to the doctrine of annuities and life assurances, than for their correctness as to the mortality of mankind. Subsequent experience has proved them to give the expectation of life much too low. In addition to these, Dr. Price also gave others, drawn up from registers kept at Norwich, Holy Cross, Chester, and other places in England; from the tables given by M. Lüssmilch of the rate of mortality at Berlin and other cities in Germany; and from seven different enumerations of the whole population of Sweden, begun in 1757, and continued at intervals of three years. His indefatigable labours in this branch of science, certainly deserve the highest thanks; the imperfection, however, of all these tables, is undoubted.

The high rate of mortality in regard to assurers which is assumed in the Northampton tables, is so well established, that we

must confess ourselves not a little surprised that their use should be persisted in, even in this country, where we have every reason to believe the probability of life is fully as favourable, if not more so, than in England; at least north of the Potomac. It is abundantly confirmed in Mr. Morgan's "View of the Rise and Progress of the Equitable Society;" though he himself is a great stickler for these tables, which were introduced, and have grown into their extensive use, by his exertions. This society was established in London by royal charter in 1762, for the purpose of mutual assurance on lives. The tables of Dr. Price, deduced from the Northampton observations, were adopted in 1781. The premiums were computed at three per cent.; and an addition of fifteen per cent. was made, in order to prevent a too sudden reduction in the annual income of the society, in consequence of the adoption of the new tables in place of those of Mr. Simpson. In the year 1800, the society possessed a capital of about one million sterling, and a surplus exceeding £484,000: and at this time it ordered "that a careful investigation of the value of each policy of assurance be repeated once in ten years," and "that the additions to be made to the claims do not, in any instance, exceed in present value *two-thirds* of the clear surplus stock of the society." Under these regulations, the society possessed, at the decennial investigation in 1809, a surplus of £1,615,940, with a capital of nearly three millions; at the investigation in 1819, although the former surplus had been reduced to one-third of its amount, it had increased to £3,200,000, with a capital of above six millions; of this surplus two-thirds were again distributed among the assurers; of the result of the investigation of 1829 we are not informed, though the capital is stated by one of our contemporaries* to have amounted to about twelve millions; and following the law of the accumulation of the surplus for the two preceding investigations, the surplus must have been between six and seven millions sterling.

These inordinate gains cannot be accounted for, satisfactorily to us, in any other way than by supposing the tables of mortality used by the society, to fix the probability of life, much too low. We are not, however, left to these data alone. Mr. Finlaison, in speaking of the abuses to which the annuity system might be thought liable, observes, in support of the high rate of mortality in the Northampton tables, "that about twenty years ago, assertions that such things were practised, so far prevailed, that parliament appointed a select committee to inquire into the Irish *tontines*, the nominees of which were dissatisfied at their own unreasonable longevity, because they would not die off so fast as Dr. Price predicted. But I think the committee reported that

* Quarterly Review, vol. 35.

Dr. Price (not those who managed the tontines) was materially wrong. *And of this fact, there is abundant evidence in the subsequent observations.*" To these observations we shall presently refer.

Such are the facts in regard to the actual results; but there is another class, which would have led us to anticipate them identically. The Northampton tables were formed from indiscriminate observations upon the whole population of that town; those who resort to annuity offices are quite a distinct class of persons, and have much higher probabilities of life. An annuitant, when he purchases, is in good health, as no one would feel disposed to pay the sum for an annuity which the tables indicate, when he is labouring under disease, and is not likely to enjoy the worth of his money. Besides, those who purchase annuities are neither from among the very rich, nor the very poor, but from that condition of life in which they are preserved from the luxury and idleness of the one extreme, as from the destitution of the other; or at least, they are preserved by their annuities from that wretchedness which induces disease, and increases mortality. The causes conducive to the same result are not less observable in the cases of assurances. The nominees are always warranted to be in good health; and, for additional security, the declaration of this fact by the party, has, in all the offices, to be corroborated by that of a physician, and in many also, by that of a friend acquainted with his mode and habits of life. The most important circumstance, however, is, that assurances are seldom effected upon lives under the age of fifteen, and thus the diseases incidental to childhood are avoided. In addition to these, those who have not had the small pox, or have not been vaccinated, are excluded. It is then very clear, that many circumstances combine to render the rate of mortality among assurers and annuitants much lower than that indicated in the Northampton tables; and the same reasoning applies with equal force to all tables formed from observations upon an indiscriminate population.

The best tables of this description are those formed by Mr. Milne, actuary of the Sun Life Assurance Society of London; from observations made from 1779 to 1787, upon a population of about eight thousand persons, by Dr. Heysham, at Carlisle, the "air of which place is pure and dry, the soil chiefly sand and clay. No marshes or stagnant waters corrupt the atmosphere; its neighbourhood to a branch of the sea, and its due distance from the mountains on all sides, render the air temperate and moderate."* Though these observations were so limited both as to time and number of people, they will be found to agree very nearly with the tables of the Equitable Experience, which it is

* Abridgment of Dr. Heysham's Observations—*Milne*, Appendix.

strongly proposed to adopt in preference to all others. They possess one merit which no other tables have had, that of being derived from a *fluctuating* population; which was caused by the establishment of manufactories, and by the government levies. Their correctness, however, for the purposes of annuities and reversions, it is evident, is wholly accidental, inasmuch as the population from which they were constructed was a promiscuous one. The healthy situation of Carlisle, no doubt rendered the mortality there much less than it would have been in places less fortunate in this respect; while the very agreement between the indiscriminate observations at Carlisle, and those upon the selected lives of the Equitable, is a convincing proof that there was something peculiar in the former.

We are thus led to the second and more correct method, according to which tables of mortality for the use of companies granting annuities and making assurances on lives may be formed, namely, from the deaths occurring among a large number of persons composing the class whose rate of mortality we wish to discover: the materials for such tables exist in the records of the tontines of the government annuities, and of the various assurance societies which have been established for any considerable length of time. We would, however, not be misunderstood. The tables of which we are about to speak, being constructed from observations upon selected lives, seem to us the most proper for similar purposes; but we are far from condemning the use of the others where such cannot be had, owing to the infancy of the assuring establishments. Yet where the data are exact, it were folly and injustice not to adopt them in preference to those which are not so. Both Mr. Babbage and Mr. Finlaison urge this point with earnestness.

"Having now pointed out the defects of the tables in general use, it will naturally be inquired what others it is proposed to substitute. To this it may be answered, that the best substitution would be a table actually constructed from the deaths occurring amongst a large body of persons of this class, whose law of mortality we wish to ascertain. Materials for such a table exist, and probably in the best and most authentic form. The Equitable Society has been established sixty years, and it must possess records of the death, and cause of death, of all of those who have had claims upon its funds. Another society of considerable extent, the Amicable, has existed above a century. A vast quantity of valuable materials is, without doubt, contained in the records of these two societies; and if they were each to communicate to the public the facts of which they are in possession, it would form a most important addition to our knowledge, and supply the most accurate materials for tables of this class, which have yet been produced."—Babbage, pp. 13, 14.

Of the correctness of the information which would be obtained in this manner, Mr. Finlaison observes:—

"Supposing that the directors of any large and long established insurance office were to permit the publication of the rate of mortality, experienced in such institution for the last thirty years, there can be no doubt that they would be able to furnish the following particulars to a high degree of accuracy: 1st. A

list of their members on a given day, (suppose the 1st of April, 1799,) with the age of each person on that day. 2d. A list of all new members subsequently enrolled, with the date of that enrolment, and the age of the party in every case. 3d. Against each name, in either list, there could be written the date of the last premium received from the party, if no claim had been made on the office for the sum insured, and the precise date of his death, in case there had been such a claim. Now, as the exact age of the party when enrolled, is the basis of the contract, there is great risk and small temptation in presuming to impose a forged certificate on the office, and it seems scarcely necessary to inquire whether there is any chance of such a thing being wilfully practised. The other dates relate to matters too well known in the office itself, to admit of any doubt. If so, it is matter of demonstration, that a correct report of the number of deaths at each age, and of the number of living persons at each age, out of which such deaths happened, may be set forth with almost positive certainty."—p. 5.

The tables of Kerseboom, given in a tract which he published in 1742, entitled, *Tweede Verhandeling bevestigende de Proeve our te weten de probable meenigte des volks in de provincie van Hollandt en Westosieslandt*, are the earliest which can lay any pretensions to a formation upon these principles. They were constructed from the life annuity registers of those two places, Holland and West Friesland; which had been kept for one hundred and twenty-five years; with the exception, however, of that part which relates to ages under a year, which were formed from mortuary registers. Four years after, M. Deparcieux gave a new set of tables, deduced from the registers of the French *tontiniers*, and partly from the *nécrologes* of the order of Benedictines. They are much more correct than those of Kerseboom; but in regard to the mortality of the religious houses, they only furnish the ages of the people dying, without affording us the essential information in calculating the probabilities of life from mortuaries; namely, the proportions of the born who attain the different ages.

Both of these writers were aware of the fact of the lesser mortality of females than of males. By the data of M. Kerseboom, the sum of the mean duration of life of ten boys of as many different classes, that is, the first under one year of age and the last aged nine, would be 369 years; that of as many girls 402. The observations given by Dr. Price, on the mortality of the two sexes at Chester, give for the boys 394.9 years, and for the girls 441.6. In the whole population of Sweden a like disparity was evinced, the males having 447.6, and the females 471.2; the same circumstance has been remarked in many other observations made upon the continent of Europe. Mr. Finlaison's tables fully establish it in regard to England. The difference is thus seen to be very material, and to require a discrimination in the construction of tables and their applications to the two sexes. From those of Deparcieux it would also seem, that celibacy and conventual regulation are rather favourable to life, both in regard to males and females, under the age of fifty; but that after that age, they

are unfavourable. Where, however, other circumstances remain the same, the probabilities of life are undoubtedly greater in the matrimonial state, contrary to the general impression.*

Mr. Griffith Davies has given tables formed from the Equitable Experience, as derived from the addresses of Mr. Morgan; and Mr. Babbage has inserted several in the appendix to his work. They constitute most valuable data for the operations of all assurance companies; though Mr. Morgan, in his pamphlet already alluded to, deprecates their use even by the Equitable Society. The reasoning of this gentleman is as preposterous and inconclusive, as his efforts against the admission of the improved tables are illustrative of the force of the *sacra auri fames* and of its increased vigour with increased supply. "It has been seriously proposed," he observes, "to adopt a table founded upon what is called the experience of the society, which, were it possible to be effected, would, by making the premiums at all ages just sufficient to pay the sum originally assured, destroy the last resource of the society, and every hope of any future addition to the claims."† It is utterly beyond our powers of mind to conceive how the substitution of correct tables for those which are acknowledged not to be so, can prevent the accumulation of surplus, if that is desirable; a percentage for this purpose and for contingencies, might be added to the original premium. But truly, to make calculations upon correct data, is, or should be, the wish of all who desire to proceed knowingly and justly towards themselves and others. In the matter of the Equitable Society, in particular, we of course disclaim all interference; but the principle which is put forth by their respected actuary, must receive our feeble animadversion.

The observations of Mr. Finlaison are, perhaps, the most correct and extensive, and consequently valuable, which have yet been published; being made from the English Tontine, commencing in July, 1693, from the life annuities issued at the Exchequer in 1745, from the three Irish Tontines, begun in the years 1773, 1775, and 1778, respectively, from the selected class of the Great English Tontine in 1789, from the class chosen by lot in the same tontine, and from the life annuities chargeable on the sinking fund, issued in 1808, and in every subsequent year. The result which he arrives at is briefly stated by himself—

"It is thus, therefore, that I am enabled to answer, if not with absolute certainty, yet to a high degree of accuracy, in the affirmative, the question propounded at the commencement of these notes, whether it were a positive fact, that 108 was the precise number who died at the age of forty-five, out of 8679 persons commencing the year, such age and numbers being only assumed for example."

* M. Muret. *Mémoire sur l'état de la Population dans le Pays de Vaud*, &c. &c. 1766.

† "View of the Rise," &c. p. 45.

"The question as solved by me is not restricted to the population of a particular town, city, or district of England; but is applicable, on the contrary, to persons spread over every part of the empire; a large portion, however, being naturally inhabitants of towns, from their having yearly incomes to live on, which infer the means of easy intercourse in society."—p. 15.

The expectation of life seems to be greatest at about ten or twelve years of age, when the maladies incident to the earlier years of existence are passed. From that age, too, the irregularity observable previously in the waste of life, ceases; and its decrements assume a more uniform character, until extreme old age, when the same irregularity again occurs. It was from a survey of this circumstance, in Dr. Halley's tables of the Breslaw mortality, that De Moivre, the celebrated arbiter in the difference between Newton and Leibnitz in regard to the invention of fluxions, formed his hypothesis, that the decrements of life are in arithmetical progression. He did not consider this law as strictly true; but the error was so small, that he deemed it immaterial for the purpose of calculating annuities, inasmuch as the deficiencies and excesses compensated each other. It was necessary, in order to make his hypothesis available in practice, to suppose a limit of the duration of life; which he accordingly fixed at eighty-six. The difference between this period and any preceding age, he called the *complement of life*. This ingenious hypothesis has received much undeserved animadversion; from which it should have been saved, on account of the facility with which questions of the greatest intricacy can be solved by it. There are undoubtedly many facts which favour the supposition, at least which point to a law of nature in regard to mortality; especially the gradual and almost uniform waste of life, which, as we have remarked, is to be noticed in every table of mortality, under whatever circumstances it may have been formed, from the age of twelve to that of eighty or ninety.

There seems to be little doubt that human life has generally improved of late years, not only in consequence of the universality of inoculation for the small pox, but also of the improvements in medical treatment, of the progress of the arts and sciences, which have multiplied the means of human comfort and convenience, and of the increase of wealth.

Indeed, the observations of Mr. Finlaison confirm this fact, independently of the use of vaccination; and, on this point, he remarks, "that the facts shown in the annexed observations, bear conclusive testimony that it is an indisputable truth, that the rate of mortality in England has, during the last century, diminished in a very important degree, on each sex equally, but not by equal gradations, nor equally at all periods of life; and that while in regard to the males, it seems, in early and middling life, to have remained for a long time as it stood fifty years ago; in respect of the females, it has, during the same time, visibly and progres-

sively diminished to this day, by slight, but still sensible gradations. *I beg leave merely to mention, in respect to the discovery of vaccination, that none of the subsequent observations have any concern with it;*" owing to the late introduction of that practice, as regards the members of the tontines, &c., and the latest observations on infant life commencing in 1790. Roman life, it would appear, was very inferior to that of the present day; as according to a table given in the Digest,* of the value of annuities, the expectation of life at the age of sixty is there put down as five years only. As to the rate of mortality in the United States, there is no correct source of information;† though we have not seen the detailed returns of the late census, which may contain some useful information upon this subject. It is one, certainly, that has many claims upon the attention of legislators, so far as it contributes to the improvement of the condition of the poor, and to the encouragement of science; and it may, therefore, reasonably be hoped, that measures were taken to ensure full statistics of this kind of information.

The use of tables of mortality is not confined to the ascertainment of the expectation of single life alone, but is extended to that of the probability of the co-existence of two or more, as in marriage. Here, of course, it becomes necessary to make more particular observations; and to discover severally the rate of mortality of the married and unmarried states. Annuities dependent upon the joint continuance of lives, and survivorships, are of course computed upon this principle.

The probabilities of life being ascertained from the tables of mortality, one other consideration remains to be attended to, before assurances and annuities can be made and granted: and that is, the rate of interest at which the value of money is to be calculated. This is readily found by taking the mean average of the value of money for a considerable number of years, which is generally assumed by the English companies at three per cent.; in this country, four per cent. would doubtless be a safe rate for a century to come. Indeed, the means of employing capital cannot be materially circumscribed with us for centuries; and the average interest for the last forty years, might be properly taken as the basis of engagements for any length of time which might possibly be desired.

The security of assurance societies depends upon the obvious principle, that the multiplication of an advantageous event renders

* Lib. xxxv. Tit. 2, § 68.

† It may not be amiss to acquaint our readers with the result of a tontine established in New-York, in 1794; in which there were originally 203 nominees, male and female. On the 1st of May, 1832, the number of nominees deceased was 92, leaving 111 alive. Only one death has occurred during the past year.

the real benefit more and more probable; and that if the event be repeated an infinite number of times, the benefit becomes certain. The mathematical expectation is then the mean benefit of each event, divided by this number of repetitions. Such societies commonly unite the business of granting annuities with that of the payment of reversions. The calculations for these purposes will differ materially; as in the case of annuities, the expectant receives many yearly sums, and his expectation in regard to each of these sums is independent of every other of them; but in assurances, one certain sum is to be paid when life drops, and therefore his not having received it in any preceding year, will constitute the expectation of receiving it at the end of the next year.

"The system of a mutual assurance society," says Mr. Babbage, "in one of its simplest forms, may be illustrated by supposing it to consist of one thousand persons, each aged twenty, and in good health, and with such certificates of a good constitution as the Equitable Society would admit. Each individual should pay 1*l*. 9*s*. 6*d*., to receive 100*l*. on his death. The premiums at the end of the first year, increased by the interest on them, would amount to 1468*l*.; and the payments to be made on account of six deaths being deducted, would leave 868*l*. At the commencement of the second year, the 994 payments of 1*l*. 9*s*. 6*d*. each, added to the 868*l*., would produce 2334*l*., which, at the end of the year, would amount to 2404*l*.; from this the claims due from the average number of deaths being subtracted, would leave 1804*l*. The 988 payments of the next year added to this sum, would, at the end of the third year, after deducting six claims, produce 2759*l*. The capital of the society, at the end of the first, second, and third years, would be as follows:—

"At the end of the 1st year	868 <i>l</i> .	after paying	600 <i>l</i> .	claims.
2d year	1804 <i>l</i> .	do.	600 <i>l</i> .	do.
3d year	2759 <i>l</i> .	do.	600 <i>l</i> .	do.

"For many years this capital would continue to increase, until the sum arising from the diminished number of contributors would exactly pay the number of the annual claimants. After this, the annual income, arising from the premiums, being insufficient to pay the annual claims, a portion of the accumulated capital must each year be taken to make up the sum required for that purpose, until after about eighty years; when the remains of this fund, together with the premiums paid at the beginning of the last year, will be just sufficient to pay the last claim.

"If we now suppose that the sum annually paid by each of the thousand assurers had been one-third larger, or 1*l*. 19*s*. 4*d*. each, which is less than many assurance companies at present charge, then, besides the sums already mentioned, the society would possess:—

At the end of the 1st year	-	-	-	-	489 <i>l</i> .
2d year	-	-	-	-	1007 <i>l</i> .
3d year	-	-	-	-	1538 <i>l</i> .
&c. &c.					

"The annual payments, before the additional third was taken, were sufficient to form a fund which would exactly pay all the policies as they became claims, and itself be exhausted on the payment of the last. If, therefore, the deaths took place in the manner supposed, no further sum of money would be required to meet all the demands, and these additional sums would be really profit; and, unlike the former, they will continue to increase until the last claim is paid.

"At the termination of this society of mutual assurers, there will, therefore, remain a large unappropriated capital."—*Introduction.*

Besides the principle of mutual assurance, there is another upon which institutions of this kind are based, quite as distinctive in its character; this is where a joint capital is raised by a number of persons who undertake to guaranty the payment of policies effected on lives; thereby affording a greater security to the assured, who, in the event of the premiums, from any cause soever, becoming inadequate to pay their claims, may have them satisfied out of the capital. These may be called *proprietary* companies. Another species of assurance societies, is formed from a combination of the mutual assurance and proprietary principles; in which the assured are relieved from all responsibility, and are at certain periods admitted to the profits of the company. All the life assurance companies in this country, come under the second description.

The stability of establishments of this kind is the first and greatest requisite for their successful operation. Few men would be guilty of the folly of intrusting their money to any association of individuals, who did not by their wealth and respectability afford every reasonable ground of belief that their interests would be carefully watched. In contingencies so remote, at least so deferred by our hopes of life, as death, the mind requires strong conviction before it will acquiesce in any scheme in which pecuniary views alone induce the performance of engagements dependant upon them. The public will therefore inquire whether the character of the individual assuring is good; and whether the rate is sufficient to indemnify them for the risk and responsibility which they assume. The misery which has been entailed upon the poor man, the widow, and the orphan, by the bursting of those "bubbles light as air" which have been blown into existence in the shape of life assurance companies by the ignorant and the depraved, are admonitory lessons for all. Properly conducted, however, assurance companies must be of great benefit to every community where there are to be found a large number of individuals who receive stated sums or salaries, and who have no means of providing for their families in the event of premature death. A trifling amount paid over to an assurance society in each year of life, will furnish this provision, and that too without any sensible diminution or abridgment of present comfort. It is directly the reverse of a gambling speculation, in which a certainty is exchanged for an uncertainty; as the assurance is a certain advantage against the uncertain period of death.

A society managed with prudence, and with a just regard to the true rate of mortality and the value of money, needs very little capital for its operations; when it possesses much, this becomes, as we have already observed, an additional security to the assured. This arises, in a very great degree, from the constancy of the rate of mortality—a fact that is well ascertained by

observation. Mr. Babbage institutes a comparison between the fluctuations in the rate of mortality and those in the price of wheat and of other commodities in England and Wales; and presents us with a result highly favourable to the constancy of the former. He says: "The number of annual deaths amongst the population of this country, seldom exceeds the average above ten per cent., whilst the excess above the average price of the least fluctuating of the commodities just mentioned, amounts to twenty-five per cent.; and in most of the other instances it reaches a much greater extent."

The rates of premiums adopted by a company, are among the most important considerations for the assured. In regard to them, he will wish to know whether security can be obtained with reasonableness:—whether a sufficient recompense is received by the proprietors, for the employment of their capital and the assumption of risk: and whether he obtains his assurance at an equitable rate. The premiums are regulated by the tables of mortality and the interest of money: and will therefore vary as different observations and different rates of interest are taken.

The following table exhibits the premiums to be paid annually for insuring one hundred dollars on a single life, at the given ages, as established by several of our companies. There is another, we believe, at Baltimore, of which we are not advised. We understand that the Massachusetts Company intend to adopt the rates recently established by the Pennsylvania Company.

<i>Age.</i>	<i>Pennsylvania Company. Incorporated 1812.</i>	<i>Massachusetts Company. Incorporated 1818.</i>	<i>New-York Life & Trust Company. Incorporated 1830.</i>
14	\$ 1.88	\$ 2.07	\$ 1.53
20	2.18	2.39	1.77
30	2.67	2.93	2.36
40	3.40	3.74	3.20
50	4.53	4.99	4.60
60	6.69	7.00	7.00
	<i>Proposals of 1832.</i>	<i>Proposals of 1830.</i>	<i>Proposals of 1832.</i>

ART. IX.—*United States Military Academy. Reports of Boards of Visitors, &c.*

DURING the war of the Revolution, the post at West Point was one of great importance, and was alternately an object of interest to the Americans and British; these eagerly awaiting an opportunity to seize it, and in the mean time, attempting by bribery to seduce its defenders; and those, leaving nothing untried to secure it with greater certainty, by the safeguards of tried and faithful commanders, and vigilant and disciplined troops. But the gallery of our revolutionary worthies, which the mind pictures, in which the space designed for Arnold is now left vacant, tells but too mournfully the story of his treason; and how English gold overcame *his* honour and patriotism. When we have revolved these things in our mind, we confess it is with peculiar gladness, that we behold rising from the very ground upon which this unholy sacrifice of our country was intended, a band of educated soldiers for her protection.

The United States Military Academy, which annually sends out supplies for the vacancies of our army, was first organized, as it now exists, by an act of congress, approved by President Madison in 1812. George Washington may perhaps be considered its founder: and as it is an honour to the academy to have received the sanction of his high authority, in the original recommendation of such an institution to both houses of congress, in December 1796; so also will it have its firmest basis in the wise maxims by which he enforced the propriety of its establishment. "The institution of a military academy," he says, in the message, "is also recommended by cogent reasons. However pacific the general policy of a nation may be, it ought never to be without an adequate stock of military knowledge for emergencies. The first would impair the energy of its character, and both would hazard its safety, or expose it to greater evils when war could not be avoided. Besides, that war might often not depend upon its own choice. In proportion as the observance of pacific maxims might exempt a nation from the necessity of practising the rules of the military art, ought to be its care in preserving and transmitting, by proper establishments, the knowledge of that art. Whatever argument may be drawn from particular examples, superficially viewed, a thorough examination of the subject will evince, that the art of war is at once comprehensive and complicated; that it demands much previous study; and that the possession of it, in its most improved and perfect state, is always of great moment to the security of a nation. This, therefore, ought to be a serious care of every government; and for this purpose an academy, where a regular course of instruc-

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tion is given, is an obvious expedient, which different nations have successfully employed." The great Washington has here only contemplated an academy in a military point of view; and in this regard, at first, we shall simply consider it: but may we not, in advance, appropriate to its benefit a remark of the same great character, concerning a national university? That "amongst the motives to such an institution, the assimilation of the principles, opinions, and manners of our countrymen, by the common education of a portion of our youth from every quarter, well deserves attention."

It is but fair to state, in the beginning, that the purposes for which the academy was instituted, were almost exclusively military; and it would, perhaps, be just to weigh the importance of this school, by the manner in which the ends proposed, at the time of its establishment, have been accomplished. For, if it has served other useful purposes so long and so well, that they are at last named among its objects, these should be laid to the credit of the school, as the benefits which a wise and liberal policy reflects to its authors. Beyond a doubt, the school has opened for itself a wide and various field in the surveys and other public works of civil utility, which in the course of its sessions are daily ordered by congress. But we prefer to inquire if the vigour and discipline of the army have been improved by its operation.

After the war of 1776, until that of 1812, though the standing army of the country was much larger than it is at present, yet from a want of practice in the details of active warfare, discipline became relaxed, the energy and force of the army were much wasted, and the officers had in some degree lost that firm tension of nerve and elasticity of mind which are necessary to ensure success in a campaign. But destructive losses, in the commencement, taught our troops the utility of discipline, and our officers the value of systematic knowledge. The consummate bravery which was afterwards displayed, threw a brilliant lustre upon our arms, and showed to the world that we had only recoiled for a moment, to invigorate the exertion of bolder daring. That was indeed a Roman valour which threw itself into the breach that the want of discipline had left open; and saved the shame and disgrace of continued defeats.

A large army and great bodies of men collected together, are the best preservatives in time of peace, of that fire and ambition which dazzle and conquer in war: and besides, as they permit all the more difficult evolutions of warfare, and generate a keen rivalry amongst the troops, they are the best depositories of discipline and military science. But the craving of excitement and glory which large armies invariably feel, would be hostile to our pacific institutions; and in a time of national tranquillity they are, therefore, very properly viewed with distrust.

Washington, than whom there is no authority more to be venerated, in one of his first messages, told the congress, that "to be prepared for war is one of the most effectual means of preserving peace." And again, in another message, "I cannot recommend to your notice measures for the fulfilment of our duties to the rest of the world, without again pressing upon you the necessity of placing ourselves in a condition of complete defence, and of exacting from them the fulfilment of their duties towards us. The United States ought not to indulge a persuasion, that, contrary to the order of human events, they will for ever keep at a distance those painful appeals to arms, with which the history of every other nation abounds. There is a rank due to the United States among nations, which will be withheld, if not absolutely lost, by the reputation of weakness. If we desire to avoid insult, we must be able to repel it; if we desire to secure peace, one of the most powerful instruments of our rising prosperity, it must be known that we are at all times ready for war." Though it be not our policy, as it was in ancient Greece, to "rule merely to prevent being enslaved," yet we must expect that our career of prosperity will be traversed by artful negotiations and cunning policies; and unless we stand in an attitude of firm defence, our neutral position, should belligerents rise up in Europe, would not render us entirely safe amidst the shocks of battle and the confusion of arms.

We are well aware that the militia must ever be the principal depositary of the land force of our republic: and, indeed, to repel invasions and put down insurrections, no troops could be better fitted. But before they are called into the field, a nucleus around which they may form, and works of fortification in which they may collect, are essentially necessary. At present, our small army, stationed in the most dangerous points, and those most liable to offensive operations, serves very well the double purpose of affording that nucleus, and of erecting and repairing proper defences. It is also an office of the regular army to preserve a discipline which may be a model for the militia; and to collect and embody all improvements in tactics and military affairs: so that, when sudden dangers overhang our state, American arms shall not dishonour American institutions.

But it must be recollected, that an army so small as ours, having but a few companies stationed at each post, would naturally languish in time of peace and inaction, if it did not frequently receive new stimulants. We believe the ranks of our army too plainly indicate this fact. Desertions are frequent; recruits are obtained with difficulty; and the greatest exertions and the wisest measures, on the part of officers, can hardly maintain a sufficient discipline. Notwithstanding this languor in the non-committed force, what is it that still sustains the vigour of the com-

missioned body? Giving all due credit to the individual officers; to their high exertions, their fine intelligence, and their gallant American spirit; we cannot close our eyes upon all circumstances: we cannot forget, that in Greece military skill and prowess were only produced by constant practice, and martial and athletic games; that in Rome, conquest and dominion and triumphs fired the imagination of warriors; that in France and England, mutual jealousies and frequent wars cause large bodies of men to be maintained; and besides, that it has constantly been the interest of the monarchs of both countries to attach them to their persons, by freely lavishing the splendid favours of the crown, and to maintain their proper equipment by the minutest attentions; so that prompt and energetic service may always be afforded, in case of national or royal danger.

With all these differences on our part, certainly not favourable to military pride, how is it that such a band of efficient officers is still kept up? We know well, that the honour of serving the Republic of America is never out of their minds; and we think we perceive a native patriotism and love of the institutions of their country, which teach them to adapt their professional feelings to the simplicity and unadorned grandeur of the republican Union. Yet, notwithstanding, we must be allowed our opinion, that much of their ardour and gallant spirit arises from the youthful blood that is annually infused into their body by means of the Military Academy at West Point.

The conviction of this truth has quickened our attention to the Examinations, the Reports of Boards of Visitors, and the other indications of the advancement of that school in usefulness and popularity.

From our own observation we are induced to believe, that its affairs have generally been well administered. It has had but two superintendents since its first organization in 1812. Captain Partridge was at the head of its government until 1817, and since that period Colonel Thayer has presided over it with eminent success. The latter gentleman, who has, perhaps, given it the character which it at present enjoys, merits especial commendation for the organization and course of studies which have been introduced under his auspices. We shall advance with a rapid review of these studies, which have been appropriated, in part, from the plans of some of the French schools; and in the course of our remarks, shall make a few suggestions of alteration.

Languages have been called the keys of knowledge; and we believe the French language, with equal truth, may be denominated the key of military science. It is, therefore, very properly the study which the cadet pursues at his entrance into the academy: but the mathematics is the ordering spirit of science; and it is, therefore, made his constant attendant throughout his entire

term. A branch of mathematics, perhaps as important to the engineer as any other, which owes its discovery, in part, to Monge, and which is studied at West Point, under the several names of descriptive geometry, shades and shadows, and perspective, as far as our information extends, is only taught well in the United States at the Military Academy. The differential and integral calculi are likewise pursued at this school with great advantage. Indeed, the mathematical course we consider very well arranged, but not quite sufficiently extensive; as it is not entirely commensurate with the philosophical studies. And now, we must confess that it is with some regret, that we have noticed in some reports, intimations, rather than plain declarations, that too much time is spent in the acquisition of the mathematics. To the soldier, this study is all important; to the engineer, a very extensive knowledge of its principles and results is indispensable. Were we to alter the present system, which we consider excellent, we should rather increase than diminish the attention to mathematics.

The French, and mathematics with crayon drawing, form the studies of the two first years. In the third are taught natural philosophy, chemistry, and pencil and topographical drawing. The department of natural philosophy we consider one of the most important and best administered. The young but profound professor who presides over it, is an honour to the academy; and by unremitted labours will render himself an honour to the country. The apparatus of this department is respectable, without being extravagant; and the experiments are satisfactory. But an observatory is certainly much needed. Already a telescope of considerable power has been procured; but cannot be used with any great profit until a proper observatory is provided.

The mode of teaching chemistry we deem imperfect. Experiments performed by the cadets themselves, would be much more beneficial than that violent effort of the memory which the present mode requires. The whole course of drawing is well conducted; but it is not sufficiently extensive, as we shall explain hereafter in the few improvements which we shall suggest. In the fourth year are studied military and civil engineering, the latter embracing architecture; moral philosophy; rhetoric; constitutional and international law; and artillery and infantry tactics.

Having now taken a general view of the studies of this national school, we shall venture to recommend a few changes, which we think would be improvements; and we shall afterwards make a few remarks upon its discipline and operations upon the field.

To commence with the department of chemistry, we would alter the whole system. A laboratory should be established, large enough for one or two sections of a class at a time, to perform the manual labour of experiments. We would retrench much of

what is now impressed upon the memory only for the moment of examination; and would require only such results as a well trained mind would retain; and such as, when retained, would be valuable. This reduction might be very considerable. We would fill the time which would thus be left unemployed, or rather we would bestow a portion of the fourth year upon mineralogy; which is now neglected: and the study of this subject we would regulate in the same manner as the study of chemistry.

The course of artillery is entirely behind the rest of the instruction. It wants system; and is made up of detached scraps from various authors, thrown together in a heterogeneous mass; forming, after all, but a very partial view of that important branch of military knowledge. The course of pyrotechny which is attached to this department, is somewhat better arranged.

On the studies of tactics, military engineering, and drawing, we would found a new professorship; which might perhaps be denominated that of campaigns. In this department, we would include the drawing of military sites from nature, the taking of reconnaissances; grand tactics, embracing the drawing up of troops for battle, with the selection of ground, having regard to means and the best adaptation of the different arms for service, including cavalry. We would recommend to the professor for many of the general views, Jomini's elaborate work on the campaigns of Napoleon and Frederic the Great. In this department lectures should be delivered, in which should be exhibited traits of moral courage; remarkable defences, extraordinary expedients, and many portions of campaigns or particular battles, showing by actual experiment, the relation in which the different arms should be brought into action, their ground, &c.; and the general principles of manœuvring armies, which, indeed, would be embraced in grand tactics. All these things might be taught by lectures, and sketches on the field. But it would be necessary for the cadets to acquire some proficiency in landscape sketching; and, indeed, the want of this proficiency, is even now much to be lamented. Such a department would afford a fine field for the genius of a professor, and would bring to a full completion the course of military studies.

Several boards of visitors have recommended the use of horses at the academy; and one, a house for winter exercises. Might not these two recommendations be made to concentrate upon the same object? Would not a circus in which riding and fencing should be taught, answer all purposes? To the soldier we would appeal, if a fine voice and a martial deportment on the field, be not among the best instruments of inspiring ardour and confidence in the men? And let us also ask, if it is not a matter of importance to the officer firmly to sit his charger, and easily and gracefully to guide his movements? In regard to fencing, which

at present is very little attended to at the academy; it is an object of vital importance.

Fencing, the lance and broad-sword exercises, should then, in our opinion, be well taught. They would improve the health and appearance of cadets; would employ many idle half-hours, and would be but little expensive to the government. Fencing, the broad-sword exercise, and riding, should occupy at least two years; and the lance exercise might be taught in a few months.

There is one branch of military service with which the cadets are totally unacquainted. The United States have adopted no complete system of cavalry tactics for the army; and hence, the young officers have no approved rules for the use of one of the most decisive weapons of warfare. It is, no doubt, a considerable expense to equip a squadron of cavalry. Notwithstanding, in war, the expense would be but little attended to; for the utility vastly preponderates. When an invading army has no horse, nothing annoys them so much as cavalry. It embarrasses them in every movement, cutting off their foraging parties, scattering their unprotected men, and by swift and unexpected charges, producing disorder and intervals in their ranks. But, we believe, the soldier will need no proof of the fact; and the scholar will be fully convinced of the truth of what we write; by recollecting how the Syracusan horse, according to Thucydides, bridled and controlled the motions of the great Athenian army which invaded Sicily in the seventeenth year of the Peloponnesian war. But if cavalry be so useful when the invading army has none, or but little; how much more so must it be, when the enemy comes provided with this destructive arm! All will at once recollect the ravages of Tarleton in the revolutionary war, and the brilliant services of Washington, Lee, and others; as a sufficient illustration of the danger of this weapon in the hands of the enemy, and the utility of a similar one in our own.

Riding, and the lance and broad-sword exercises, we therefore much desire to see made subservient, at the military academy, to a complete system of national cavalry tactics. We should then have at one institution in the country, an entire and well connected course of military pursuits.

We purposed to make a few remarks upon the discipline of cadets; and their operations on the field and in camp. We will despatch this part of the subject in a few words. We believe the discipline to be good; and the active duties of camp and field well regulated. The artillery drills, too, are certainly better than any thing else in that department: but, in truth, it appears to us, that the whole department of artillery should be remodelled and better organized. And now, in dismissing that view of the academy, which its originators would probably have taken; namely, the contemplation of its fitness to form and educate effi-

cient officers; we might inquire if its imitation of the French schools has been so close as to embody any foreign imperfections. But without the certainty of facts, we can only pursue this subject so far as to suggest to future boards, the propriety of inquiring into the police of the academy; and ascertaining the purposes that are answered by the military detachment at the post, and the degree of respect and subordination which it is commanded to show to the cadets as their superior officers.

As we recede from the period of the last war with England, a new end of education is becoming more and more prominent at the national military school. The internal improvements of the country, projected or now in progress, call for a large body of civil engineers; and this demand is partially supplied from West Point. As these improvements are favourite measures of the general and state governments, we think the academy does well in increasing the degree of attention to architecture and civil engineering: as to most of the details of topographical engineering, a knowledge of them is necessary as well to military as to civil engineers. But while we consent cordially to the prosecution of the elementary studies of civil engineering, even in detail; we would not, in the least, be disposed to abandon the military, pursued likewise in detail.

We shall not notice all the different accusations, which from time to time have been made against the military academy, in Congress and elsewhere. For, we believe, the most exact scrutinies that have been made in regard to its appointments and other concerns, have resulted in nothing upon which to found a charge. Among others, the accusation that it is a school only for the sons of the wealthy and influential, has been totally refuted by the actual rolls of those admitted.

It is sometimes said that a system of favouritism is pursued in the appointments by the officers of government. Without affirming or denying the fact, we presume that more or less of favouritism may be apparent, according to the administration under which we live. And even were we to admit the operation of this unfortunate influence, we should consider it rather a disrespect than a violent injury to the nation. For in comparing this sinister use of power, with the general benefits resulting to the entire country from this institution; we should set a full value upon the latter, and only remember the former as a personal act of the officer of government.

It is undoubtedly true that the militia is deriving benefit from those who have once been attached to the academy; whether now engaged in military or in civil pursuits. And throughout the land, much scientific knowledge is certainly diffusing itself in various ways, by the instrumentality of the same national engine. In taking our leave, we may be allowed the remark, that among

all the different interesting purposes, which this school is said to subserve, we regard as not the least, the tribute of national homage, which it renders to science. While in war we should delight to behold this Alma Mater seated in invincible strength, and sending to the battle-field hero after hero to win for her the palm of victory; we must confess, that in peace, we should almost equally delight to behold her reposing in the midst of arms, her brows encircled as at a festival, with the bloodless but imperishable garlands of science.

NOTE.—ART. IV.—*The Tariff Question.*

On reflection, we find that in describing the operation of the tariff on those sections of our country most exclusively engaged in the production of the exports, with which the imports are either directly or indirectly purchased, we have been inadvertently led into an error which it is highly necessary to correct. We admitted, that if the articles taxed should rise the whole amount of the duty, and the aggregate value of the lesser amount of goods consumed at the high prices should be equal to the aggregate value of the greater amount at lower prices, the tax would fall wholly on consumption, and the producer of the export would escape. This admission is much too liberal for the fact, and was unwarily made from not reflecting that the increase in price of the whole mass of importations, caused by imposts, forms no part of the equivalent for the exports. Thus, let us suppose our exports have been generally \$ 50,000,000, and our imports about the same, and that a duty of 10 per cent. be levied on the latter, which augments prices 10 per cent.; it is evident, that the government, and not the producer of the exports, gets this additional sum of \$ 5,000,000; and consequently, the rule is the following—*the whole burthen falls on consumption only, when the articles imported rise the whole length of the duty, and the mass consumed is the same precisely at the high prices as formerly at the low prices*; the aggregate values of those equal amounts will of course be to each other as prices before and after the duties. If this rise in price had been occasioned by the internal regulations of foreign countries, then our admission would be perfectly correct—a less mass of imports would be a fair equivalent for our exports; provided, the diminution in quantity was exactly in proportion to the rise in price. It will readily be seen, that the correction of the above-mentioned error, plants our argument on this topic upon much higher and stronger grounds, for it proves beyond a doubt, that the burthen falls at once upon

production, even if the imported commodities rise the whole length of the duties, unless the same amount of commodities be consumed after the rise as before; a result which no one possessing the slightest acquaintance with the nature of consumption, can for a moment anticipate.

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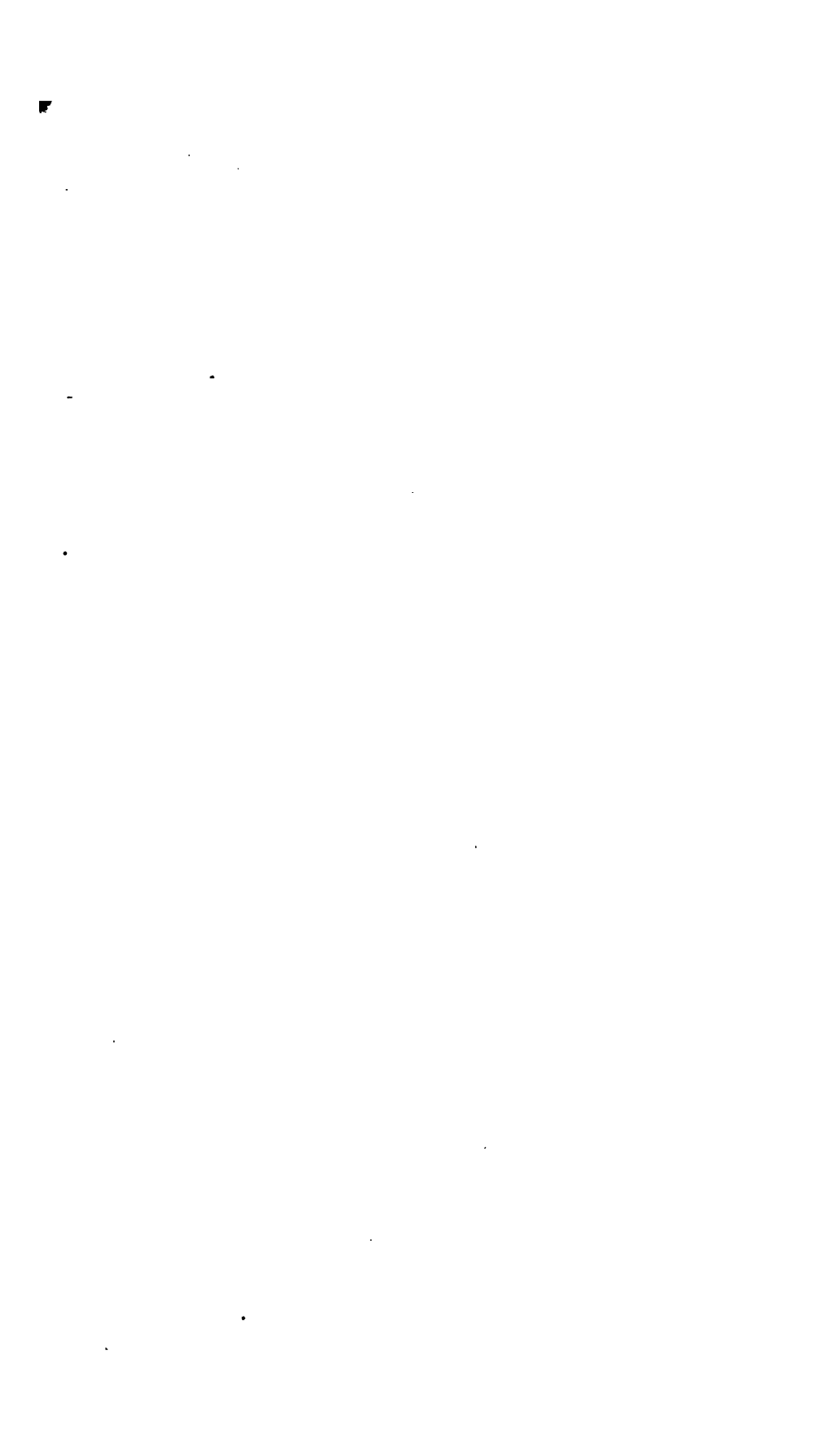
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APPENDIX.



APPENDIX.

REPORTS ON THE BANK QUESTION.

Twenty-Second Congress—First Session.

HOUSE OF REPRESENTATIVES,

March 14, 1832.

Resolved, That a select committee be appointed to inspect the books, and to examine into the proceedings of the Bank of the United States, to report thereon, and to report whether the provisions of its charter have been violated or not; that the said committee have leave to meet in the city of Philadelphia, and shall make their final report on or before the twenty-first day of April next, that they shall have power to send for persons and papers, and to employ the requisite clerks, the expense of which shall be audited and allowed by the Committee of Accounts, and paid out of the contingent fund of the House.

REPORT OF THE MAJORITY.

MR. CLAYTON, on behalf of the majority of the Committee appointed on the 14th March, 1832, to inspect the books, and examine into the proceedings of the Bank of the United States, made the following Report:—

In obedience to the foregoing resolution, the Committee appointed under the same, proceeded to the city of Philadelphia, and commenced the inspection of the books, and the examination of the proceedings of the Bank, on the 23d of March last; and, after the most attentive and laborious investigation which their limited time would allow, the majority have prepared the following Report, which they beg leave to submit to the House of Representatives.

They believed, that, as the House wished information more for the purpose of enlightening their minds, and assisting their judgments as to the expediency of again renewing its charter, than to abridge it of the small remnant of time left for its operation, a liberal construction of the resolution would not be deemed a departure from their trust; consequently they have directed their inquiries to two general objects.

1st. Whether the provisions of the charter had been violated.

2d. Whether there have been any circumstances of mismanagement, against which future legislation might guard, or which should destroy its claims to further confidence.

On the first point, following the example of a former committee, making a similar investigation, without expressing any opinion on such cases as have been subjects of imputation against the Bank.

These cases they conceive to be six in number, and are as follow:—

1st. In relation to usury.

2d. In relation to the issuing of branch orders, as a circulation.

3d. The selling coin, and particularly American coin.

4th. The sale of stock obtained from government under special acts of Congress.

5th. Making donations for roads and canals, and other objects.

6th. Building houses to rent or sell, and erecting other structures in aid of that object.

On the first ground, the president of the Bank refers us to a statement marked G, and says it will “explain the only cases to which this description might be considered applicable, two of them being cases in which the Board repaid the amount considered overcharged, and in regard to the third, no application has been made for any change in the form of the original loan.” See said statement marked No. 1.

To a question asked the president, whether any cases of disguised loans, and domestic bills of exchange, had come to the knowledge of the parent Bank, in which the branches had received usurious interest? He replied he had never heard of any, but made a further statement, marked No. 2, in which he states that the usual custom is to charge upon domestic bills of exchange, the rate of interest and the rate of exchange, and if the sums united should exceed six per cent., it is not usury; and gives an explanation in said statement.

On the second ground, the Committee will submit document No. 3, and its inclosures, in which the cause and origin of branch drafts will be fully seen. The president states “the inability of the Bank to furnish the amount of circulating medium, which it was created to supply, became apparent at an early period. In a year after its organization, the directors presented a memorial to Congress, dated 9th January, 1818, requesting that an alteration might be made in the charter, so as to authorize the *presidents and cashiers of the several branches*, to sign the notes issued by those branches.” See copy of the memorial marked 3 A, in which it is stated “that, inasmuch as the ‘act to incorporate the subscribers to the Bank of the United States,’ requires that the bills or notes which may be issued by order of the said corporation, shall be signed by the president, and countersigned by the principal cashier, it has been found impracticable to supply, in any reasonable degree, the required *circulation* from the Bank, and its nu-

merous offices of discount and deposit," it is, therefore, asked of Congress to permit the presidents and cashiers of *branch banks* to sign and issue bills. The application was not granted. The president states "the subject was resumed by another memorial, dated November 24th, 1820." See copy of the memorial marked 3, 6, in which it is stated, "under the charter it has been doubted whether the Bank has power to authorize the issuing of notes not signed by the president, and countersigned by the cashier. The labour and the time necessary to sign notes for the Bank and all its branches, are much greater than either of those officers can bestow upon that object; and hence the Bank has been unable to put in *circulation* a sufficient amount of notes of the smaller denominations, which the public most want, and which are best calculated to serve the interest of the Bank." It then requests that power be given to the parent Bank to appoint one or more persons to sign notes of the smaller denomination, which was not acted upon.

The president states, the "application was again renewed, and a select committee of the House of Representatives, reported in favour of allowing the appointment of signers, on the 27th of February, 1823; but there was no action of the House upon it." And he refers us to "pamphlet, vol. viii. No. 11."

On the first of December, 1826, the president was instructed to endeavour to procure the necessary change. He says, "he reported on the 27th February, 1827, that no action on the subject would take place at that session of Congress, and, accordingly, the matter was referred to the committee on the offices." See Doc. 3. c.

He adds, "the opinion of Mr. Binney, Mr. Webster, and Mr. Wirt, the Attorney General, was taken on the subject of issuing branch drafts." See Doc. 3. c.

On the 6th of April, 1827, the following communication was made to the board of directors:—"The committee on the offices, to whom was referred, on the 23d of February last, the report of the president of the Bank, stating the unsuccessful result of the application to Congress for an *alteration* of the *charter*, which would authorize the signature of notes by other persons than the president and cashier, report that, in various parts of the Union, but more especially in the southern and western sections, there is a constant and unceasing demand at the offices for the smaller denominations of notes, which it is impossible to supply." They therefore suggest that the "discount officers should be instructed to draw checks on the cashier of the Bank for smaller sums than they have hitherto been in the habit of furnishing. In order to save the labour of preparing such checks at the offices, as well as for the greater security of the Bank and the community, it has been deemed best to prepare the blank forms of a *uniform appearance*, and to distribute them from the parent Bank. Such forms have been accordingly devised, and are now submitted to the board with the recommendation of the committee, that the expe-

riment be tried, and, if found useful to the community, be *permanently* adopted." See Doc. 3 c.

The document marked 4, d, is a correspondence between the President of the Bank, and the Secretary of the Treasury, on the character of these Bank drafts, which has already been printed and submitted to Congress.

The paper marked 5, E, contains instructions to the branch Banks as to the issue of branch orders. On the 21st of April, 1827, the cashier of the parent Bank writes a circular to the respective branches, informing them, among other things, that the Directors have "deemed it best that blank forms of an *uniform* appearance should be prepared with *skill* and *care* at the parent Bank, and thence distributed to such of the southern and western offices as seem to stand most in need of them, or to be able best to employ them usefully. Enclosed I send you a specimen of the \$5 and \$10 blank drafts adopted. After being numbered, registered, and appropriated here to certain offices, a supply of them will be forwarded as soon as possible, with instructions to the Cashier of each office to have every four hundred drafts in succession, and as they may be wanted, filled in the order of some *one* officer of the branch, by whom they must be endorsed lengthwise, and about the middle of the draft, payable to bearer, before they be signed by the President and Cashier. When completed, they are to be furnished to the customers of the Bank, or other persons who may wish to procure them. The entries respecting them, both here and at the branches, are *intended for convenience sake*, to be analogous to those of *branch notes*. Their receipt under the denomination of branch drafts, is to be similarly acknowledged by the Cashier, and in duplicate through the respective Presidents. They are besides to be reported on the weekly state of the office, as branch draft paper received, used, and on hand. And whenever they may be transiter between the offices, must be so noticed at the foot of the statement like other packages."

On the 7th of January, 1831, a resolution passed the Board to issue drafts of the denomination of twenty dollars. These branch orders, when discharged by the parent Bank, are again reissued by that Bank when it has no small notes of its own. The paper marked 6 F, contains a statement of the amount of branch drafts issued, on hand, in circulation, and the offices from whence issued. By this table it will be perceived that \$10,781,635 have issued; \$3,371,544 are on hand; and \$7,410,090 are in circulation.

The foregoing is a succinct history of the issue of branch drafts. Whether it can be justified under the charter of the Bank, the Committee will leave to the better judgment of Congress.

The third case is the selling coin, and particularly American coin. The attention of the Committee was drawn to the subject by the fact that the general Government had, on one occasion, to pay the Bank two per cent. on ten thousand Spanish dollars, which it wanted for the benefit of the navy in South America. To an interrogatory put to the President on this subject, he replied,

"The Bank is authorized to deal in bullion. It buys and sells bullion. All foreign coins are bullion. Their being a legal tender does not make them the less bullion, and the Bank having bought them at a premium, sells them at a premium. The obligation of the Bank is, to pay the claims on it in coin, American coin, or legalized coin, and if the foreign coin is worth, intrinsically, or commercially, more than the American coin, the difference in value must be worth the difference in specie, and there seems no reason why the Bank should sell its bullion any more than its bills of exchange, at less than their value." He then refers the Committee to a correspondence, marked No. 4.

Although the Bank acted under legal advice, it may be well questioned whether foreign coin is bullion. The constitution gives to Congress the right to regulate its own and foreign coin; when, therefore, the latter has a value prefixed to it by law, and is suffered to be used with that regulated value, in like manner with our own coin, it would seem not to have lost the name and character of coin, and is made by force of law what it would be, if carried through the mint and subjected to the condition of our own coin; and, therefore, to deal in it as a commodity, is calculated to disturb its legal value, and render at least that portion of the metallic currency uncertain and fluctuating.

If, however, the Committee have taken a wrong view of this subject, so far as foreign coin is concerned, it seems by the statement of the President of the Bank, to be virtually admitted that our own coin is not bullion, and, therefore, does not come within the objects of trade allowed to the Bank by the 9th fundamental rule of the charter. By reference to the statement of specie sold by the Bank, marked No. 24, it will be found that the sum of \$84,734 44 of American gold coin has been parted with.

The 4th case is, selling stock obtained from Government under special acts of Congress. They have thought it their duty to present the subject to the consideration of Congress.

It is necessary here to observe, that the charter must have intended some meaning in prohibiting the Bank from dealing in stocks. There is, perhaps, no subject so fruitful in speculations as stocks, and none which is so fluctuating and liable to be influenced by the slightest causes, often producing ruin or immense fortunes in the most sudden manner. To prevent such a great moneyed institution then as the Bank, from dealing in this article, which its vast means could raise and depress at pleasure, seems to have been a wise provision in the charter. The right of the Bank to acquire or sell stocks, is a special one; it must be done by virtue of a law of Congress. The charter itself provided that a part of its capital might be paid in the stock of the Government, and such stock, particularly, might be disposed of. But the Committee suggests whether this will apply to other stocks obtained by virtue of a subsequent law of Congress, unless that law specially confers the power to dispose of it. In two important loans obtained from the Government since the charter was granted, the Bank has parted with a valuable stock, and these

cases will illustrate the point now submitted to Congress. While the Committee refer to the transactions of the Bank in the funded debt of the United States, for the purpose abovementioned, they also have in view the presentation of the subject, to show not only the manner of disposing of that stock, but whether it was not contrary to the express understanding with the Government at the time of obtaining the stocks. For the loan of \$4,000,000 of 5 per cents. made in 1821, and the \$5,000,000 of 4½ per cents. made in December, 1824, there was a strong individual competition, at a premium for a part or the whole, against the Bank; yet, the Bank had a preference over the individual offers, upon the principle that it would be more advantageous to give it to the Bank at a reduced rate, and participate as a partner, than to give it to individuals at a premium. This was confirmed at the Treasury. The President of the Bank, in a letter dated 15th December, 1824, which will be found among the documentary testimony, after saying that he had taken the whole of the \$5,000,000 loan at par, says, "and since we have taken the loan at par, on the distinct ground of our having the means of doing it, it would be advisable, in every point of view, not to sell any of the *Florida loan* in Boston."

By a statement of the amount of funded debt sold by the Bank, marked No. 6, it will be seen that, as early as June and July, 1825, the year after it was taken, the Bank began to sell this stock, and continued to do so, sometimes at a premium and sometimes at a loss, up to the 27th day of November, 1829, on which day they had disposed of all but \$93,925 92, and that too at a loss of \$4,443 34, notwithstanding offers were made by individuals for a large amount, at a premium, and rejected by the Government, upon the principle before stated. The same document shows that there was, between February, 1829, and October of the same year, sold of the \$5,000,000 *Florida loan*, \$1,742,261, at a loss of 17,661 dolls. 9 cts. For this loan, the Committee are not aware of there being any offers by individuals at a premium. The same document shows that, between February, 1826, and February, 1832, the whole of the \$4,000,000 loan of 5 per cents. of 1821, has been disposed of at a premium of \$136,789 25. The premium paid for which, at the time it was taken, was provided for in a semi-annual appropriation of \$60,000, in the report of the 1st July, 1821, before adverted to. By these operations, it will be obviously perceived that, if the Bank is allowed to sell stocks acquired by special agreements with the Government, it can secure, by speculations, all the advantage which the Government might possess, in putting up its loans to the highest bidder. It not only destroys competition, but takes the loan of the Government from other individuals, who would have given a premium for it, and which the Government refuses, because it expects to derive a greater profit in another way, but in which it may be defeated, by an immediate sale of the loan, and which, if the right to sell by the Bank is acknowledged, might have been made directly to those very individuals who had just offered a premium. In rela-

tion to the four million loan of 5 per cents. of 1821, Mr. Cheves, in his report on the 1st of October, 1822, says: "The four million loan of 5 per cents. are longer irredeemable than any other stock of the Government of the United States, and hence probably this stock is more valuable than any other stock of the United States." He also says, "the more the Bank can retain of this stock, the better for the institution." In the whole of which the Committee most fully concur; for, it may be mentioned with feelings of pride, that such is the high credit of the Government, its stock is better than specie, and would be to the Bank, in any emergency, precisely the same.

The Committee proceed to mention the 5th case, which is making donations for roads, canals, and other objects, the amount of which is \$4,620 00, as will appear by document No. 7. Two of the largest of these items, amounting to three thousand dollars, are for turnpike roads, made, too, after the general Government had declined to make appropriations for similar objects.*

A question would naturally arise, whether the public funds in the Bank, for that institution is expressly founded upon the principle that it is necessary to, and constitutes a part of the Treasury of the United States, can be appropriated to objects indirectly, by the officers of that institution, when the Government directly refuses to expend its revenues on the very same objects. The Committee have looked in vain for any authority in the charter to give away the money of the stockholders. If the charter contains the powers by which the Bank is to act, and they are to be strictly pursued, there is then no grant to make gratuities for any object whatever.

The consequences of the exercise of such a right, might be fraught with very great injury to the stockholders; certainly of dangerous interference in the rival trade of different sections of the country, and of pernicious influence upon the operations of Government.

The Committee approach the last ground, which is the building houses to rent or sell, and erecting other structures in aid of that object. They will merely present the fact and the law, and leave the House to place their own construction upon the case.

By an extract from the minutes of the Board of Directors, communicated to the Senate on the 12th day of March last, the following facts appear, viz.

"The committee on the offices, to whom was, this day, referred a letter to the President, from George W. Jones, agent, dated May 23d, recommending to the Bank the construction of two canal basins, and the erection of warehouses around one of them, according to the plan submitted by him, recommend to the board the adoption of the following resolution:

"*Resolved*, That the board approve of the formation of two canal basins at Cincinnati, proposed by Mr. Jones, one of them to be

* The President furnished this statement without explaining the grounds of these donations, no explanation having been particularly required of him.

on square number fifty-five, (55,) and the other to be on the square of ground between Walnut and Vine streets, and Canal and St. Clair on Court streets; and that he be authorised to erect forthwith, *warehouses* on the margin of this last mentioned basin, not exceeding six in number, either in one block, or separately, as he may deem most expedient for the interests of the Bank."

These six warehouses were built. It is also understood, says the same extract, that several other houses have been built by the agent at Cincinnati; but as they were erected in part by contributions in labour and materials, by debtors to the Bank, who had no other means of payment, and, in part, by direct disbursement, no accurate statement of their number or cost is on file. The agent has been instructed to specify these details in order to complete this return.

In reference to the foregoing, the Committee believe it enough merely to quote the following provision of the charter, to wit: "The land, tenements, and hereditaments, which it shall be lawful for the said corporation to hold, shall be only such as shall be *requisite for its immediate accommodation*, in relation to the *convenient* transaction of its business, and such as shall have been *bona fide mortgaged* to it, by way of security, or conveyed to it in *satisfaction* of debts previously contracted in the course of its *dealings*, or purchased at sales upon *judgments* which shall have been obtained for such debts."

It is possible that the improvements were in the neighbourhood of the real estate of the Bank, and are made upon the ground that said donations would increase the value of that real estate.

This closes the view of the Committee on the subject of the violations of the charter.

In considering the second general head, as to any circumstances of mismanagement of the Bank, your Committee have fully appreciated the delicate character of some of the duties assigned them, and the high responsibility of the office of inspecting the books and examining into the proceedings of the Bank of the United States.

In discharging that trust, they have not felt themselves at liberty to inquire into the private concerns of any individuals, of any denomination, unless the public interest was involved in their transactions with the President and Directors of the Bank. The investigation was ordered by the House under peculiar circumstances, and in anticipation of a debate on a renewal of a charter of a national bank, whose annual operations amount to two or three hundred millions of money, whose influence extends to the remotest parts of the Union, and whose connexion with the federal government gives it a public character. Impressed with the importance of the great variety of interests involved, your Committee have executed the office assigned them, by inquiring generally, into the proceedings of the Bank, not only for the purpose of ascertaining whether its powers had been violated or abused, to the injury of the private or public interest of the country, but, with a view to obtain information for the use of the House, and to

suggest, should Congress determine to continue a national bank, such modifications as the proceedings of the existing institution would have rendered necessary.

Adhering to these rules, the Committee believed it entirely within their province to inquire whether the influence of the Bank, acknowledged by all to be of vast control, and, if improperly directed, of dangerous tendency, had insinuated itself either into the management of the press or the direction of the Government. This could only be done by an examination of the transactions of the Bank with editors and public functionaries. And here the Committee wish it to be distinctly understood, that they do not pretend to set up the absurd idea, that editors or officers are excluded from the right common to the rest of the citizens, of borrowing money when and where they please, from banks or individuals, without being answerable, in the slightest degree, to any person whatever. But while this admission is demanded by the clear rights of the parties to whom it relates, it will not be denied, that if they obtain more favours than the rest of their fellow citizens, it is, at least, a just cause of complaint against the Bank, and however they may be innocent of any improper or sinister connexion with that institution, it does not, by any means, disprove the fact, that some other influence may have been intended to operate upon their minds, wholly unsuspected by them at the time. If, therefore, it should appear that these individuals received larger loans than those who are its usual customers—that they received these loans without the security usually required under circumstances not known in any other case, it would seem to the Committee, that instead of a complaint from those whose transactions with the Bank have thus been investigated, the grievance is entirely on the other side.—Whether such cases do exist, the Committee will leave to the better judgment of the House, to decide upon the facts which they have collected, and now respectfully submit.

It had been repeatedly alleged that the Bank had employed its funds for the purpose of subsidizing the Press, and the charge was reiterated during the debate upon the resolution authorizing this inquiry. The attention of your Committee was particularly drawn to this subject, at an early period of their examination, by a communication from an editor of a New York paper, who had been accused to a member of the Committee, through the President of the Bank. The evidence relating to this case will be found in papers marked 8 and 9, and in which are presented the following facts:—On the 26th of March, 1831, a Mr. Silas E. Burrows applied to the President of the Bank, and informed him, to use the words of the President, “that he was desirous of befriending Mr. Noah, and assisting him in the purchase of a share in a newspaper; and he asked if the Bank would discount the notes of these parties; adding, that although as a merchant he did not wish to appear as a borrower, or to put his name on paper not mercantile, yet he would, at any time, do so, whenever it might be necessary to secure the Bank. I do not recollect (says the witness) whether he then mentioned the time which the notes would have to run. The

Committee being authorized to discount any paper, the security of which they might approve, agreed to do them. As Mr. Burrows was going out of town, I (the President and witness) gave him the money out of my own funds, and the notes were afterwards put into my possession. They remained with me a long time, as I had no occasion to use the funds, nor was it till the close of the year that my attention was called to them by the circumstance that a new board of directors and a new committee of exchange would be appointed; the same committee which made the loan should consummate it. I had seen also, in the public prints, many reproaches against the Bank for lending money to printers and editors, and I was unwilling that any loan made by the Bank should seem to be a private loan from one of its officers. Having no use for the money, it would have been perfectly convenient to let the loan remain as it was, but I thought it right that every thing done by the Bank should always be distinctly known and avowed, and, therefore, gave the notes to the chairman of the Committee, Mr. Thomas P. Cope, who entered them on the books."

This is the account given by the President himself of the transaction in its origin. The money, \$15,000, was advanced on the 26th of March, the notes bear date on the 1st of April thereafter, and were ten in number for fifteen hundred dollars each, with the interest added on as they respectively became due, which was on the 1st of April and October of the years 1832, '33, '34, '35, '36, and amounted with the interest thus added, to \$17,975. At the time they were entered on the books of the Bank, on the 2d Jan. last, the President received the money for them.—These notes were placed on the books of the Bank at this time, and it will be seen, on the 2d of March they were withdrawn, as will appear hereafter. On the 9th of August last, after the foregoing transaction had taken place, J. W. Webb and M. M. Noah made an application to the Bank for a loan of \$20,000, accompanied by a letter from a gentleman formerly a director of the Bank of the United States, to the President of the Bank, in the following words: "I cheerfully forward the enclosed, as requested. I see no reason against this application being treated as a fair business transaction." This was accompanied by sundry letters of Webb and Noah, and the depositions of persons in their service as to their solvency and ability to pay the loan requested, all of which will be found marked No. 9. This loan, at six months, was granted, with no other security but that which is just mentioned, the largest loan made on that day. On the 16th of December following, another application was made, by these same parties, for a loan of \$16,000, which was granted, for six months, by the exchange committee, without an additional security or recommendation. At this time, there was a considerable pressure in the money market, and many notes of the citizens of Philadelphia were rejected. It was one among the largest loans of the day. These loans, together with the loan made in March to Burrows, amounted to the sum of \$52,975, which consisted of notes drawn and endorsed by the editors only.

The Committee will now submit the facts in relation to the manner in which this loan has been disposed of, first premising that the resolution for inquiring into the affairs of the Bank was introduced into the House on or about the 17th of February. The loan of August was reduced 2,000 at its maturity, on the 10th of February last. On the 2d of March last, Mr. Silas E. Burrows obtained from the Exchange Committee, discounts to the amount of thirty-two thousand four hundred and forty-six dollars, being the largest sum loaned on that day, and while many notes of citizens of Philadelphia were rejected. That the notes for 17,975 dollars, payable in 1832, '33, '34, '35, and 36, were paid and withdrawn by him on the 2d March, without the knowledge of Webb and Noah, as they state. On the 14th of the said month, Burrows obtained another discount from the Bank, of 14,150 dollars, and on the 15th of the same month, the note of Webb and Noah for 15,000 dollars, loaned them on the 16th of December previously, and not due till June next, was paid off by two drafts from Webb, obtained at the United States Branch Bank at New York, accompanied with the following remarks, contained in a letter to the President of the Bank, dated New York, March 11th, 1832, and found in No. 9, viz: "Although the loans to us by the Bank of the U. States are purely of a business character, and made upon statements showing the necessity of the accommodation to our establishment, and of our ability to meet our payments, there can be no doubt but that the enemies of the Bank, as also our political opponents, will endeavour to give a false colouring to the whole transaction. The loan, though strictly defensible, is a large one, and the amount may give rise to the charge of indiscretion on the part of the Directors. This, it is not only our duty, but our desire to prevent, if possible; and, therefore, with some little inconvenience to ourselves, we have made arrangements to pay the note of 15,000 dollars in the course of a few days."

The evidence of the President of the Bank explains the character of these various loans, and the circumstances which induced him to be satisfied with the security, and to make these advances; which, together with all the testimony and correspondence on this subject, will be found in the papers marked No. 9.

In that evidence it is stated by the testimony of Webb and Noah, that they knew nothing of the first 15,000 dollar loan made by the President of the Bank to Burrows; that Burrows made them believe the \$15,000 were loaned to Noah by his father, and that he had his father present to carry on that transaction, and for which Noah allowed Burrows 2½ per cent., and did not receive it all for some months after giving his notes; that the notes were discounted by the Bank, in their name, without their knowledge, and paid off in the same way. It will appear by the testimony of Mr. Webb, that the paper of which he is the editor, made two publications in the latter part of 1829, favourable to the establishment of branches; that shortly thereafter it commenced its opposition to the Bank, and was, for sixteen months, warmly opposed

to it; and that, on or about the 8th of April, 1831, it changed its course in favour of the Bank. Connected with this fact, is an admission on the part of one of the editors, that before the first loan was negotiated he held a conversation with a gentleman, through whom the loan was then negotiating, (whom the Committee know to be Burrows,) in which he, Burrows, urged the editors, one of whom, Webb, had expressed himself in favour of a modified re-charter, to advocate an unconditional renewal, "but expressed great satisfaction at learning that [one] was in favour of a charter under *any* circumstances."

The Committee will state they were anxious to obtain the testimony of Burrows, but were unable to do it. A subpoena was issued for him and sent to New York, to which the marshal returned he was not to be found. It was then sent to Washington city, and the Sergeant-at-Arms made the same return. The marshal of Pennsylvania was directed by the chairman to make and continue a search for the witness in Philadelphia, having heard of his expected arrival in that place; that the marshal reported to the chairman that he ascertained that the witness had arrived in that place on Thursday, the 5th instant; but he was not able to serve the process because he could not be found.

To an inquiry whether there were any other instances of notes being discounted for the accomodation of any merchant and trader at 1, 2, 3, 4, and 5 year's credit, unless to secure a debt in jeopardy, there was presented to the Committee four other cases.

On the 3d of April the Committee, by resolution, called for the following statements to assist them in the elucidation of certain facts which had appeared in other documents, viz:

1. A tabular statement, showing the aggregate amount of notes discounted and still due the Bank, drawn and endorsed by non-residents of Philadelphia; which will be found marked A.

2. The aggregate amount of good notes offered for discount, and rejected by the Board; drawn and endorsed by residents of Philadelphia, on the following days respectively: 9th of August, 16th December, 1831; 2d January, 10th February, 2d and 14th of March, 1832; 24th September, and 14th October, 1830. That statement, marked B, will show the amount of notes discounted, but the officers of the Bank state their inability to discriminate between those that are good or otherwise.

3. The aggregate amount of notes discounted on personal security, and made payable more than six months after date, which appear to be only four in number, besides the case of J. W. Webb and M. M. Noah.

4. The aggregate of notes now due to the Bank, discounted for a firm or the partners of a firm, without the name of some person not belonging to the firm, as drawer or endorser, distinguishing in each of the above statements the amount loaned to members of Congress, editors of newspapers, or persons holding offices under the General Government. To this last resolution were added the following amendments, viz: "1st. A statement of the loans made by the Bank and its branches to members of Congress, editors of

newspapers, and officers of the General Government, and the terms of such loans." "2d. And the names and amounts of payments to members of Congress, in anticipation of their pay as members before the passage of the general Appropriation Bill." "3d. And the amount of money due the United States, and on deposit in the Bank, after deducting therefrom the sum thus advanced to those to whom the United States are indebted." "And lastly, a statement in detail of the amounts paid to those who are now, or have been, members of Congress or officers of Government since 1816, for services rendered to the Bank, stating the nature of the service." For the information sought by these inquiries, see papers marked C. Besides these, there were furnished the statements of loans made to five editors or publishers of newspapers; by which it will appear, that the accommodations to those five editors were upwards of \$110,000, previous to the institution of this inquiry.

The various reports which have, for a long period past, charged the Bank with too frequent intercourse with brokers, and also of undue favouritism to certain individuals, as well as the large transactions which exhibited themselves upon many documents called for by the Committee, induced them to examine particularly the accounts of the firms of which Mr. Thomas Biddle was and is the chief partner with the Bank as a broker.

Four subjects of investigation presented themselves in relation to their transactions with the Bank.

1st. The allowing and paying interest to them on deposits.

2d. Relates to certain loans upon the pledge of stock, and the discounting of notes made to T. Biddle by the President or others, without the knowledge of the Board, and on part of them, the pledge of stock, without interest.—The Committee would refer for the particulars of these two charges to the papers marked No. 13.

The third subject is the amount of discounts made T. Biddle, and the rate of interest. The document marked No. 14, will show the amount on the 15th of each month, from the 15th day of September, 1830, to the 15th of February, 1832. By this, it appears, that on the 15th of October, 1830, he had discounted upwards of 1,120,000 dolls. and has at no time since been less than 400,000 dolls. The Committee doubt the policy of such large accommodations to individuals or firms, at any time, as it deprives the Bank of the power of fulfilling one of the great objects of its institution, which is to facilitate trade by loans in time of pressure; and it may be proper to add, that these large loans, at a low rate of interest, in times when money is plenty, are usually followed by over-trading, which produces pecuniary embarrassment and general distress.

By a statement entitled "Remittances to Europe," marked No. 16, it appears that the foreign purchase of foreign bills were made of Thomas Biddle & Co. drawn by them, viz:

1831.	
Oct. 14, 1 bill 60 days sight, and at a premium of 10½ per cent.	\$32,399 68
Oct. 14, 3 bills at 75 to — and 105 days, and at a premium of 10½ per cent.	115,451 11
Oct. 22, 13 bills at 40 to 125 days, and at a premium of 11 per cent.	592,000 00
Dec. 10, 9 bills at 40 to 110 days, and at a premium of 10 per cent.	506,250 00
1832.	
Feb. 14, 14 bills at 40 to 105 days, and at a premium of 10½ per cent.	400,000 00
Feb. 14, 3 bills at 50 to 70 days, and at a premium of 11 per cent.	148,000 00
	<hr/>
	\$1,794,060 79

By the foregoing statement, it appears that the Bank purchased, between the 14th of October 1831, and the 14th of February, 1832, of Thomas Biddle & Co., foreign bills to the amount of \$1,794,060 79.

With regard to these large loans, the committee refer to the statement marked No. 19, by which it appears that, on the 9th of April, 1832, the total amount of discounts on bills and notes at the Bank in Philadelphia, was \$7,939,679 52. Of that sum more than two-thirds were loaned to ninety-nine persons, to wit:—\$5,434,111. More than 3,000,000 dollars were in the hands of twenty-seven individuals; and nearly one seventeenth part in the hands of one person. The Committee have already expressed their conviction that these large accommodations, to a few individuals, are injurious to trade generally, and they will add, that they ought always to be made by either the board of directors, or the committees empowered by them for that purpose. For an explanation of this subject, see papers numbered 13 and 18.

Properly connected with this subject is the accommodation extended by the Bank to individuals on the pledge of stock. In all the monthly statements of the condition of the Bank, prior to the 1st of March last, there was no column showing these loans. In that month, for the first time, so far as the committee can discover, a new column is exhibited, entitled "loans on other stocks," and which appeared at that time, to have been transferred from the line called "bills discounted on personal security." This change was made in consequence of a call for stock loans, by the House of Representatives. A statement of the same was called for, marked No. 20, which exhibits a list of stocks pledged, consisting of Theatre shares, Museum stock, Arcade stock, Rail-road and Canal stocks, Coal Company stock, real estate in Louisiana, &c. &c. amounting to the sum of 1,713,297 34 dollars.

The various transactions in specie, by the Bank, have been a subject of special notice by the Committee, and various statements called for, show the magnitude of them.

The first statement, marked No. 21, shows the amount of specie exported by the Bank of the United States during the year 1831:—

To London, in Mexican coin,	-	-	-	-	\$255,000 00
To Paris, in Mexican coin,	-	-	-	-	620,000
To Paris, in gold,	-	-	-	-	247,000
Do. in mixed bullion,	-	-	-	-	180,000
					<hr/> 1,047,000 00
					<hr/> \$1,302,000 00

2d. The amount of specie exported since 1819, will be found in the statement marked No. 22.

To England,	-	-	-	-	-	2,598,357 00
To France,	-	-	-	-	-	2,257,398 50
						<hr/> \$4,855,755 50
Of this amount there was in gold,	-	-	-	-	-	2,387,927 50
In bullion,	-	-	-	-	-	596,717 00
In silver,	-	-	-	-	-	1,871,111 00
						<hr/> \$4,855,755 50

3d. The amount purchased since 1824, marked No. 23, shows:

Of silver,	-	-	-	-	-	605,850 00
Of gold coin,	-	-	-	-	-	17,596 00
Of gold bullion,	-	-	-	-	-	438,000 00
						<hr/> \$1,061,446 00

4th. The amount of specie sold since 1817, marked No. 24, shows it to be,

Of which there was, American gold,	84,834 44
British, French, and Spanish,	48,291 35
Silver,	5,051,784 50
	<hr/> \$5,184,910 29

5th. The amount of specie drawn from each of the southern and western offices, since 1820, to the Bank of the United States and New York, marked No. 25, shows the total amount to be

	\$22,523,387 94
Of which \$20,925,990 07 has been drawn to those places since the first of January, 1823,	20,925,990 07

6th. The amount of specie, (in the same statement,) sent to the southern and western branches, since 1819, is

The premium received on the specie sold, is	97,140 56
The premium paid on the specie purchased, is	19,171 85
	<hr/> \$77,968 71

What profits were made on the specie exported, the committee did not call for documents to enable them to ascertain; it must, however, from the great quantity sent away, have been considerable.

The committee called for a statement of all the specie imported by the Bank from abroad since 1819; but, as none was returned, they presume none was imported.

What proportion of the gold exported was American coin, the committee have not before them the means to determine; it was expected to have been given in the statements, but in looking into them the gold exported is without a designatory name; it is believed, however, the amount is considerable.

In examining this subject minutely, the committee find that large amounts of the specie have been drawn from the office at New Orleans. Of this there can be no complaint; it is the principal depot for returns of goods shipped to Mexico, which are almost exclusively paid for in specie, and it cannot be expected that it will remain there. But the committee suggest whether the withdrawal of the specie from most of the other ports of the country, and substituting paper in its stead, might not be highly injurious to those sections of the country subject to its operation.

The subject of the Bank furnishing bills of exchange for the trade of India, China, and South America, has been brought to the attention of the committee by document marked No. 26; and having been so strongly described as affording great advantages to the country, in the triennial report of September last, as "economising" the specie of the country, the committee have felt it a duty to examine and present the subject to the consideration of Congress and the commercial community, believing, as they do, that there is something delusive in the operation. The result of their examination has led them to the conviction that this new method of dealing in bills of exchange does not "economise" the specie of the country at all. It is a universal law of drawing, that funds must either go before or follow after the draft to honour it at maturity; and whether it goes directly or circuitously, the funds to discharge it must, sooner or later, arrive at the place of payment. These bills are to be paid in England; but they go round the Cape of Good Hope before they reach their place of destination. Instead, therefore, of sending the specie directly to India and China, as formerly, who does not perceive that it must now be sent to England, the country upon which these bills are drawn, there to meet them upon their arrival at the place where they are to be paid? The Bank consequently becomes the shipper of the specie, to pay its bills, in place of the merchant to purchase his merchandise in the East Indies. It is simply and purely nothing but a change of the destination of the specie, with only the advantage of its going to London.

The mode in which these bills are drawn and disposed of to the purchasers, having twelve months to run, as will be seen by a copy of the obligation taken by the Bank, marked No. 27, the

committee consider of doubtful utility to the country. The legitimate object of banks, the committee believe to be, the granting facilities, not loaning capital. The supplying of bills appears even much more objectionable than loaning capital, for it encourages an operation which commences and ends without the employment of any capital whatever, and is similar in their character to respondentia securities. The buyer is enabled, within the term of credit, to make the voyage, dispose of his goods, and obtain from the proceeds the funds to meet his obligation, and the Bank to transmit the same to the place upon which their bills are drawn, (which are at six months sight,) long before they become due. It would seem to produce a greater export of specie eventually, than would otherwise take place, if the operations were commenced with specie, and not with bills purchased in the manner described; for the merchant, relying upon his immediate resources, would not engage to such an extent in the business, and would combine in the operation much of the produce of the country; whereas, relying upon an extensive credit, he hazards every thing on the success of the enterprise. It is a species of speculation in trade leading to great risks, and certainly terminating in overtrading—the evils of which the country is now solely experiencing. By loans of a similar character by insurance companies providing funds for traders to China, Government has sustained more loss than in any other branches of trade.

The increase of the number of branches established since 1822, cannot be passed over in silence by the committee, and deserves, as a source of extended influence of the Bank, the most serious consideration.

In some few instances, where new branches have been established, perhaps they may have been called for by the community, and may have been useful to them and profitable to the Bank; but, in most of the cases, the committee doubt whether they were called for from public utility; and their establishment will, in the end, not only prove unprofitable to the Bank, but very injurious to the communities among which they are located. Mr. Cheves, in a letter of the 27th of May, 1819, to Mr. Crawford, then Secretary of the Treasury, says, "I am perfectly satisfied that, with the present organization of the Bank, it can never be managed well. We have too many branches, and the directors are frequently governed by individual and local interests and feelings. For a time we must bear with the branches, but I hope they will be reduced."

Again, in the same letter, he observes, "the real and original evil under which the country is suffering, is over-banking. This leads to excess in trading, manufacturing, building; and the history of the ill-judged enterprises which have been undertaken in these several concerns, would give a full history of all the distresses of this country, excepting a little agricultural distress growing out of the inordinate expectations which the others excited." These opinions fully accord with the views of the committee, and they consider them as peculiarly applicable to the

present time, as exhibiting similar causes now operating with extended force, from which similar effects must follow, augmented in proportion to the increase of its branches.

The stockholders, at the triennial meeting on the 1st of October, 1822, recommended a withdrawal of some of the branches then existing, in these words: "In taking into view the business of the Bank, as connected with its offices, the committee think it right to recommend to the continued attention of the president and directors the necessity of withdrawing those branches which are found to be unprofitable, and transferring their funds to the offices which shall seem to require additional capital." Since this period *two* have been discontinued, and *nine* others have been established, as per triennial report of 1831. These opinions of Mr. Cheves, in which the committee have concurred, were approved by the stockholders, as will appear by the following extract from the same report in 1822. They say, "they take great pleasure in unanimously declaring that the circumstances of the Bank fully realize their anticipations as expressed at their last meeting in regard to the president, (Mr. Cheves,) who, by his talents, disinterestedness, and assiduity, has placed its affairs in an attitude so safe and prosperous as that the burthen of duty devolving upon his successor will be comparatively light."

The committee cannot but think that, had the succeeding direction of the Bank been guided more by the opinions and wishes of the stockholders, as then expressed, and gone on gradually growing with the growth, and increasing with the natural wants of the country, great sufferings to the community would have been avoided.

In the year 1819, great abuses existed in the branches, of which Mr. Cheves speaks without reserve, in his last report to the stockholders, as well as in his correspondence with Mr. Crawford, and upon casting the eye over the monthly statements, it is remarkable to observe what losses have taken place at the branches compared with the mother Bank. For instance: on the 1st of January last, the loss of the mother Bank, on a capital of sixteen millions and a half was, in round numbers, 328,000 dollars; that of the Baltimore branch was 1,662,000, on a capital of one million and a half; so that it lost more than its capital. That of the Norfolk branch was 229,000 dollars, on a capital of 500,000 dollars, losing nearly one-half of its capital; and so with all the rest of the branches, their losses are out of all proportion to their capital, and ten times greater than the mother Bank, according to the amount of their respective capitals. These losses, however, were principally incurred prior to 1819. The proper inference to be drawn from these facts is, that the worst of mismanagement has existed in the branches.

The "Contingent Fund" has claimed the attention of the Committee. The object for which it was originally created, and the original amount provided, together with the additional appropriations which have been made to it, and the manner in which

the same have been applied at different periods, will all be explained in the following documents.

The report of the board of directors, in July, 1821, published in the gazettes at that time, marked No. 28; the report of the stockholders at the triennial meeting in October, 1822; the report of the dividend committee, on the 16th January, 1823, marked No. 29; a statement of the particulars of the debts, "considered lost," marked No. 30; a statement of the suspended debt and real estate, with the probable loss thereon, marked No. 31; the statement headed, "*Contingent Fund*," marked No. 32; the sales of the forfeited bank stock, marked No. 33; and the dividend reports for July, 1829, January and July, 1830, January and July, 1831, marked No. 34. To these the Committee refer for the particulars of the subjects to which they relate, in connexion with the "*Contingent Fund*."

The Committee feel it their duty now to give their views as to the causes of the present distress in the trading community, and which they fear may greatly increase. It is an acknowledged principle, that like causes, in all cases, produce like effects; and as in 1819, contraction followed the expansion of 1817 and 1818, so by the same rule must contraction follow the immense expansion of 1830 and 1831, and like effects and consequences succeed. To illustrate more clearly the position, and bring it home to the minds of every one, the following table of the state of the Bank during some of the months of 1818 and '19, and 1831 and '32, are here exhibited, embracing items from which direct calls upon the vaults proceed, and the immediate means which remain to meet them, viz: The first are the deposits, circulation and debts abroad, not on permanent loan. The second, the specie, the funded debt, and notes of other banks; the amount of each will be found under their proper heads at the various periods mentioned. [The Table will be given hereafter.]

The preceding table shows that, at no period in 1819, when the Bank was very near suspending payment, was it less able to extend relief to a suffering community as at the present month. In April of that year, the month in which its difficulties were the greatest, its means of specie, notes of other banks, and funded debt, (which could have been turned into specie or notes of other banks) amounted to upwards of ten millions of dollars; and the whole demands, which could come against it in the same month, of circulation, deposits, and debts owing abroad, amounted only to about fourteen millions. But the Committee feel bound, in candour, to state, that this was after a number of months of constant contraction, not only by the Bank of the United States, but also by most of the other banking institutions of the country, where a general exhaustion had been produced. It was on the 6th of April, 1819, that Mr. Crawford, then Secretary of the Treasury, writes to Mr. Cheves thus: "It is even doubtful whether it is practicable, with all the exertions which it is in your power to make, to continue specie payments throughout the year." Under the same date he says: "My impression is, that the safety of the Bank can only be effected by withdrawing nearly the whole of its paper in circula-

tion. If the Bank does this, all other solvent banks will be compelled to do the same. When this is effected, gold and silver will be introduced into the country, and make a substantial part of the circulation, and enable the banking institutions gradually to resume their accustomed operations. Whilst this is effecting, the community, in all its relations, will be greatly distressed. Considering the extent of the suffering, it is greatly to be desired that some good may result from it."

The Committee believe that the course of operations by the Bank, during the years 1830 and 1831, have been nearly of a similar character to those of the years 1817 and 1818. Drafts and notes, payable at distant offices, were then freely discounted at the Bank of the United States, and the different offices. Bank notes were issued by the Bank, without regard to the wants of the community, or the effect upon the circulating medium, which became depreciated, driving the precious metals from the country; and, until the reaction had operated to check them, led to extravagant speculations, which ended in ruin; and relief was not obtained until the circulation of the Bank of the United States had been reduced to about 4,000,000 of dollars. Before this was accomplished, the expedient was resorted to, of curtailing loans; and, while they were doing that, they continued the issue of Bank notes, thereby continuing the evil which they were striving to avert.

What is the state of the Bank now?

On the 1st of March, (see monthly statement marked No. 35) the Bank had \$6,800,000 specie, \$2,840,000 notes of other banks, and of funded debt none!! making an aggregate of \$9,640,000, to meet its circulation of \$23,717,000; deposits, \$17,050,000; and foreign debts owing, \$1,876,000, making an aggregate of \$42,643,000; and this evil exists while a reaction or contraction is operating to a considerable extent.

This contraction commenced on the 7th of October last, and is evidenced by the following circular, which indicates, beyond all doubt, that the Bank had overtraded.

CIRCULAR.

Bank United States, Oct. 7, 1831.

Sir,—The unusually heavy reimbursements of six millions of funded debt, which was, on the 1st inst., advertised by the Government to take place on the 1st and 2d days of January next, but which, according to subsequent notice from the Treasury Department, under yesterday's date, may, it appears, be demanded of the Bank, by the public creditors, at *any* period of the present quarter, is calculated to press very inconveniently upon the parent Bank, and upon the office at New York; the more so, from our uncertainty as to the time when the necessary provision must be made, and from the prevailing active demand for money. Be pleased, therefore, so to shape your business immediately, as that without denying reasonable accommodation to your own custom-

era, or sacrificing the interest of your office, you may throw, as early as possible, a large amount of available means into our hands in Philadelphia and New York, and at the same time abstain, as far as practicable, from drawing upon either of those points; checks and short drafts on the local banks, and on individuals, will prove particularly acceptable for several months to come; and whenever direct claims of that kind, on those two places, are not to be procured, you might materially aid us, by taking drafts upon the large cities nearest to them.

I am, respectfully, your obedient servant,

W. M'ILVAINE, *Cashier*.

Addressed to the cashiers of all the offices.

Since the 1st of September last, the Bank has diminished its means to meet the demands which may come upon it—

1st. The whole of the funded debt which it then

held	-	-	-	-	-	-	\$3,497,681 06
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2d. The difference between the specie it then

held	-	-	-	-	-	-	11,545,116 51
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And the amount it possessed on the 1st April							5,799,753 63
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\$5,745,362 88

Making an aggregate diminution of its means to meet its momentary demands, since the 1st of September, of \$8,243,043 94, whilst, during the same period those demands have increased \$4,197,871 51 viz. the circulation, deposits, and foreign debt, the aggregate of which was, on the 1st September, \$38,452,758 67, and on the 1st April, \$42,650,630 18. The measures and the effect appear to be similar to those preceding 1819. The extensive discounting of domestic bills and drafts, payable at distant branches, the amount being on the 1st of April, per monthly statement, \$20,354,748 79. The orders for curtailing at the western branches, and the curtailing at the principal offices in the Atlantic cities, and at the Bank of the United States, the amount of which, at the Bank of the United States, between the 5th day of January and the 29th day of March, is \$1,810,408 37; at the office of New York, between the 4th day of January and the 28th day of March, is \$259,305 43; at the office of Boston, between the 5th day of January and the 29th day of March, is \$167,860 85; (and that too, on a discount line of less than two and a half millions of dollars;) at the office of Baltimore, between the 16th of January and the 2d day of April, \$123,741 63, and on a discount line of more than two millions of dollars, as will be seen by the weekly statement of those offices and the Bank of the United States, marked No. 36.

The most remarkable feature which presents itself to the view of the Committee, connected with the present situation of the Bank, and the course of operations upon it since the 1st of September last, is the increase in the circulation of its notes, which amounted on the 1st September to \$22,399,447 52, and on the 1st April to \$23,717,441 14, making the increase of \$1,317,993 62.

During this period the Bank undertook to check the exportation of specie, by supplying bills at such a rate as left no inducement for individuals to ship it; to do which they exhausted all the funds which they could procure from every source. Over \$5,000,000 were remitted, as per statement marked No. 16, and still left them with a debt of more than \$1,700,000 in Europe at this period. The cause which led to this necessity still yet exists, with an increase to the extent of the increase of circulation, and but for a decline in the price of specie in Europe, it would still continue to be exported.

The Committee would present another striking analogy between the situation of the Bank in April, 1819, and its present condition. At the first mentioned period, Mr. Cheves informed the Secretary of the Treasury that the Bank would not pay the Louisiana debt of three millions, without negotiating a loan in Europe, and two millions were actually borrowed in Europe, the indulgence of the Government being obtained to that effect. The Bank at this time is precisely in the same situation; it has asked the Government to postpone the redemption of the 3 per cents. from 1st of July to 1st of October, and has assumed the payment of one quarter's interest on these stocks, being substantially equivalent to borrowing seven millions of the Government's money for three months.

The supplying of exchange by the Bank, as has been done for the last five months, and the curtailing of discounts, are but mere *palliatives*, as the Committee fully believe; and they are persuaded that no measure can be *invented* to restore a sound currency, and a regular state of things generally, and give a solid and permanent value to property, but the withdrawal of a large portion of notes now in circulation, by the Bank, which will compel other banks to do the same.

The Committee will here introduce a quotation from Mr. Rush, in his Treasury Report in 1828, which fully accords with their sentiments. "It is the preservation of a good currency which can alone impart stability to property, and prevent those fluctuations in its value, hurtful alike to individual and national wealth." Again, he says, "This advantage the Bank has secured to the community, by confining within prudent limits its issues of paper, whereby a restraint has been imposed upon excessive importations, which are thus kept more within the true wants and capacities of the country." According to the triennial report of the directors to the stockholders on the 1st of August, 1828, the amount of circulation then was \$13,044,768 71; and on the 1st of April last, as before stated, it was \$23,717,441 14; presenting the astonishing difference of \$10,671,780 43, in less than four years. Can this be considered, according to the sound doctrine of Mr. Rush, confining its issues of paper within prudent limits, whereby a restraint has been imposed upon excessive importations? That great contractions are injurious, the Committee consider they have adduced an authority that cannot well be doubted, and that a great one is now in operation there are too many general evi-

dences in confirmation of the fact, to be refuted. A particular one will suffice, which is taken from the documents called for by the Senate, and presented to that body by the Secretary of the Treasury, on the 12th of March last; in which will be found a communication from the President of the Bank, stating that the amount of the branch notes redeemed by the Bank of the United States at Philadelphia, during the month of February last, only to be \$726,000; and the amount redeemed in 1831, during the same month, was only \$368,910.

In a letter under date of the 26th of March last, to the Chairman of the Committee, the President of the Bank says "that the amount of branch notes redeemed at the New York office during the year 1831, was \$13,219,635, and at Philadelphia \$5,398,800, making a total of \$18,618,435; with an increase of circulation between the 2d of February, 1831, and the 2d of January, 1832, of more than six millions of dollars, as per monthly statements, and decrease of its means, between the 2d of February, 1831, and 1st of April, 1832, to meet immediate demands of more than twelve millions of dollars, viz.—

In specie, funded debt, and notes of other banks,					
which at first named date, amounted, as per					
monthly statements, to	-	-	-	\$21,756,668	10
And the last to	-	-	-	9,640,000	00
				<hr/>	
				\$12,115,668	10

Making, as just stated, a diminution in the active means immediately applied to the extinguishment of its debts, of considerably more than half of its former capacity, to effect the same object.

With such an increase of issues, and the influence of a most powerful reaction now operating upon the fiscal energies of the country, as is exhibited by the difference of the redemption of branch notes at the periods and places abovementioned, together with such a reduction of its means, to meet its engagements, must, we fear, compel them still further to curtail their accommodations.

It is evident, from the circulars addressed to the branches, and correspondence with them since October last, that the chief object of the Bank has been to sustain itself—the statements accompanying this Report, clearly proving that the Bank has not increased its facilities to the trading community, in any part of the Union.

The Bank of the United States, among other conditions of its charter, is bound to make collections of the public revenue, to transfer the same, or any part thereof, from one point to another, that may be required; and to make any and all payments for the account of the Government, whether for principal, interest, civil list, army, navy, pensions, or for any other purpose whatever, free of all and any charges for such services.

For performing this duty, the Bank has claimed, and has received, from the Treasury Department, and the country gene-

rally, for some years past, merit to an extent that could not have been surpassed, even if all those services it performs were gratuitous. This and other circumstances have led the Committee to an investigation of the subject, as far as the limited time would allow, before closing their labours, to see how far the Bank is entitled to the credit bestowed upon it, and to what extent the Bank has aided the Government in its fiscal operations beyond the obligation imposed in obedience to its charter.

The Government, in its collections through the Bank of the United States, receives nothing but specie, or notes of the United States Bank, and makes its payments in nothing else. If the notes of State banks are received by the Bank in place of its own, it is a private matter between such banks and the Bank of the United States, and one with which the Government does not concern itself, and it is to be presumed that the Bank of the United States is too watchful and vigilant in the protection of its own interests, not to see that it obtains from the State banks, for the notes thus taken, specie or its equivalent, or its own notes, in exchange, and thereby be provided with a fund from the collection of the revenue, equal in value to that in which they are required to pay.

The largest portion of the revenue, particularly from imports, as is universally known, is collected in the Atlantic cities north of the Potomac. Those cities being the great marts of supply to nearly the whole of the United States, and places to which remittances centre from almost every part of the country, create a demand for funds upon them from nearly every quarter, constantly and generally at a premium. Therefore, so far as the Bank is called upon to transfer funds from those cities to other places, it becomes a matter of profit and not of expense to it, and the greater the distance the greater the premium; and the larger the amount thus required to be transferred by the Government and the greater the distance, the greater the profit and advantage to the Bank.

That the Bank has aided the Government thus far, the Committee are unable to discover, or that they are under any obligations to the Bank for those services, they are at a loss to imagine. How far the Bank has aided the Government in its fiscal operations, as it claims to have done, will be seen by a communication from the President of the Bank to this Committee, hereafter adverted to in another part of this Report; and also in a report of the committee of the stockholders, at the triennial meeting on the 1st of September, 1831, in the following words: "That the Bank, through the whole course of its operations, has effectually assisted the Treasury in the collection and distribution of the public revenue, and that, of late years, it has been signally efficient in preventing the discharge of the public debt from disturbing the operations of commerce or the value of pecuniary investments."

Now, the Committee are not able to discover upon what principles the foregoing declaration is made. By referring to the correspondence, in 1819, between the then President of the Bank and the then Secretary of the Treasury, the Committee discover that

the Bank was then applying to the Treasury Department, to aid it in its operations, and was receiving all that it could promise.

On the 20th of March, 1819, the President of the Bank closes a communication to the then Secretary, Mr. Crawford, thus: "I have ventured to trouble you with those views with the hope that you will pardon the liberty, and with the conviction that if you can serve this institution in any of them which you shall deem consistent with the public good, you will feel a pleasure in doing so." The Secretary of the Treasury, in closing his answer, under date of the 27th of March, 1819, says, "every facility which it is in the power of this Department to afford the Bank, in its efforts to support specie payments, and restore the currency to a natural state, may be confidently relied upon."

By a reference to a statement of the public deposits in the Bank of the United States each month, from March, 1818, to March, 1832, inclusive, marked No. 37, it will be seen that from the 1st of January, 1823, up to the month of March, 1832, there has been only one period, (November, 1825,) when the public deposits did not exceed four millions of dollars in the hands of the Bank, and they frequently amounted to eight, nine, ten, and eleven, and on one occasion, to twelve millions of dollars.

By reference to document marked No. 38, it will be found that since the month of March, 1824, at all the different periods immediately following the redemption by the Government of portions of its funded debt, there is no one time when the Bank was not left with more than one million and a half of dollars of public deposits, and in many instances with four and five millions, which sums were, immediately after, increasing, by the constant accumulated collection of the public revenue.

The Bank, as it collects the revenue, knows, or ought to know, that it will be called upon by the Government to reimburse it, and in all cases of redemption of the funded debt, three months notice is given by the Treasury of such intention. With such notice, and with proper management on the part of the Bank, the Committee cannot see that either the Government requires any aid, or that the community can be affected by the course of the operation.

The Bank has its legitimate banking capital with which to do its regular business and accommodate the community. As it collects the public revenue, it is enabled both to avail itself of the advantage of employing it to its own benefit, and the accommodation of the community who principally contribute to its payment, by commencing the discounting of business paper, payable within or about the time they know they will be called upon to make the payments on account of the Government; and, as they gradually approach that period, they must also shorten the period which the business paper has to run, until they arrive at the time the call from Government is made upon them, when the business paper will have been paid off; the Bank then pays the Government, and the Government immediately again circulates it among the community.

The operation, as thus described, appears to the Committee too

plain and simple to require any further illustration; and if the principle is sound, and has been acted upon by the Bank, they cannot discover in what manner the operations of commerce could have been disturbed, or the value of pecuniary movements have been affected by the payment of the public debt by the Government.

But if the Bank has, as the public revenue has accumulated to the credit of the Treasury Department, gone on discounting upon it, or loaning it out, disregarding the period when they would be called upon to reimburse it, the Committee can readily perceive that, when that order arrived, they would be found not only deficient in preparation, but in a state of surprise, and that the payments would first embarrass the Bank, and then lead it to press and embarrass the commercial community.

From the observations made, and the examination of documents during the course of this investigation, the Committee have strong reasons to apprehend that the course pursued by the Bank has been upon this latter principle. If so, the Bank has incurred a high responsibility.

The Committee believing the subject of the late postponement of a portion of the three per cent. stocks, intended, as they understood, to have been paid on the 1st of July by the Government, to be within the province of their inquiries; and believing, also, that it had a strong connexion with the present state and situation of the affairs of the Bank, and for the purpose of enabling them to form a correct and true opinion upon that subject, they made a call upon the President of the Bank for the correspondence in relation to the postponement of that payment, in the following words: "Will you please give a copy of the correspondence connected with your application in March last, requesting a suspension by the Government of the payment of a portion of its debt intended to have been made on the 1st of July next, or a statement of the arrangement made in relation to that subject." Which correspondence was communicated by the President of the Bank, with the following remarks:

"I have made no application to the Government, nor have I requested any suspension of the payment of any portion of the public debt."

"The inquiry, I suppose, relates to this circumstance; 'I received a letter from the acting Secretary of the Treasury, dated the 24th March, 1832, informing me that Government was about to issue a notice on the 1st of April, of their intention to pay, on the 1st of July next, one-half of the three per cent. stock, and to do it by paying to each stockholder one-half of the amount of his certificate.'" He added,

"If any objection occurs to you either as to the amount or mode of payment, I will thank you to suggest it."

"Thus invited by the Government to a communication marked 'confidential,' to give my opinions on a measure contemplated by the Government, I felt it my duty to express my views of its probable operation: in my reply, therefore, dated 29th of March, I stated 'that so far as the Bank is concerned, no objection occurs

to me, it being sufficient that the Government has the necessary amount of funds in the Bank to make the contemplated payments.' I then proceeded to observe, that in the present situation of the commercial community, and with a very large amount of revenue, (amounting to nine millions,) to be paid before the 1st of July, the debtors of the Government would require all the forbearance and all the aid that could be given them; and that the payment proposed, by creating a demand for the remittance of several millions of dollars to European stockholders, would tend to diminish the usual facilities afforded to the debtors of the Government, and might endanger the punctual payment. For this reason I thought it for the interest of the Government, to postpone the payment till the next quarter. I further stated, that the plan of paying to each stockholder only one-half of his loan, would not be so acceptable as if his whole loan were repaid at once.

"Having thus performed my duty in giving the opinion asked, I left it, of course, to the Government to decide. On the part of the Bank, I sought nothing, I requested nothing. After weighing the circumstances, the Government were desirous of adopting the measure, but the difficulty I understood to be this, that the sinking fund would lose the quarter's interest, from July to October, of the sum intended to be paid in July; and that the Government did not feel itself justified in making the postponement unless that interest could be saved, but that it would be made, provided the Bank would make the sinking fund whole on the 1st October. To this I said, that as the Bank would have the use of the fund, during the three months, it would consent to save the sinking fund harmless, by paying the three months interest itself; as the matter stands.

"Now, it will be seen, that the Bank, in all this, has had not the least agency, except to offer its opinion, when it was asked, in regard to a measure proposed by the Government; and then to offer its aid in carrying that measure into operation."

The Committee cannot discover any ability which the Bank possesses or will possess, to give increased aid to public debtors in the payment of nine millions of dollars falling due (as is said) in the quarter ending with the 1st of July; but, on the contrary, they believe that such is the situation of the Bank now, and such will be the demands which it will be called upon to meet, that it will require the aid of all the accumulated collections for the Government, to sustain itself.

The Committee are fully of opinion, that though the Bank neither "sought" for, nor "requested" a postponement of the payment by the Government, as stated in the declaration of the President, yet if such postponement had not been made, the Bank would not, on the 1st of July, have possessed the ability to have met the demand, without causing a scene of great distress in the commercial community.

The Committee are unable to discover in what manner the Bank could afford aid to the Government, in carrying into effect the measure they proposed, which the President of the Bank, in

his remarks, speaks of having proffered to them. All that the Government could ask of the Bank on the 1st of July, or at any other time, would be, to pay over to them the amount it had collected for their account when they wished it—the same as a principal would call upon its agent to pay to him moneys which he had collected for his benefit.

By document marked No. 30, it would appear, that, on the 13th day of March last, the Bank was aware of the intention of the Government to pay off during the year, a great portion of the 3 per cent. stock; and the subject of making an arrangement with the holders, was, on that day, referred by a resolution of the Board, as follows:—

Resolved, That the subject of the communication just made by the President, be referred to the committee of exchange, with authority to make, on behalf of the Bank, whatever arrangements with the holders of the 3 per cent. stock of the United States may, in their opinion, best promote the convenience of the public, and the interest of this institution.

This proceeding on the part of the board, nearly two weeks before they were officially informed of the intention by the Government to make the proposed payment on the 1st of July, demonstrates fully, to the minds of the Committee, an acknowledgment on the part of the administration of the Bank, of its inability to meet the demands which the contemplated payments of the Government 3 per cents. would bring upon it, without producing the distress before alluded to.

In a letter to the Secretary of the Treasury, from the President of the Bank, dated the 29th March, 1832, marked No. 40, is the following:

“Owing to a variety of causes, but mainly to the great amount of duties payable for the last few months, there has been a pressure upon the mercantile classes, who have been obliged to make very great efforts to comply with their engagements to the Government. That pressure still continues, and it may be prolonged by the same cause—the amount of duties still payable during the next three months. This state of things seems to recommend all the forbearance and indulgence to the debtors which can be safely conceded. The inconvenience, then, of the proposed measure is, that the repayment of six or seven millions of dollars, more than half of which is held in Europe, may create a demand for the remittance of these funds, which would operate injuriously on the community, and, by abridging the facilities which the debtors of the Government are in the habit of receiving from the Bank, may endanger the punctual payment of the revenue, as the Bank would necessarily be obliged to commence early its preparations for the reimbursement of so large an amount of public debt.

“My impression, therefore, is, that with a view to the safe and punctual payment of the public revenue, the Government would be benefitted by postponing the proposed payment of the public debt to another quarter, by which time the country will sustain less inconvenience from demands on foreign account.”

The Committee are obliged to dissent from the views expressed by the President in the foregoing extract. The Committee cannot believe that the pressure which has, and which continues to exist since October last, is attributable mainly "*to the great amount of duties payable for the last few months.*" The Committee believe the operations of the Bank of the United States in Philadelphia, and the offices in Baltimore, New York, and Boston, (the four principal places where bonds are payable,) during the last quarter, furnish evidence to the contrary. By a reference to the weekly statements of the Bank of the United States, the offices at Baltimore, New York, and Boston, from July, 1831, to April, 1832, marked No. 36, it will be seen that the amount of reductions on discounts and loans at those four largest commercial cities, during the last quarter, taking the maximum amount in January last, and ending on the 1st of April, is \$2,498,489 76, or in round numbers, two millions and a half of dollars; this reduction by the Bank and its branches, has probably compelled a similar reduction on the part of the state institutions, in proportion to the amount of their loans in each of those places. In this, and in this alone, the Committee are fully persuaded is to be found the true secret of the pressure which has existed, and does still exist, operating upon the commercial community.

That this pressure will continue for some time to come, the Committee fear; for the expansion has been so great, that the contraction which is now in operation cannot, in the opinion of the Committee, be effectually checked or controlled, without a necessary curtailment of discounts.

If the Bank possessed the ability to sustain itself without curtailing its discounts, the revenue falling due the present quarter, might be collected, and facilities granted during the time, upon the principle before pointed out, to the commercial community, and disbursed again by the Government, without any inconvenience being caused by the operation. But such ability, the Committee are well satisfied the Bank does not possess, nor can it at present command. Besides the diminished means of the Bank previously alluded to, through the loss of five millions of its specie, its foreign exchange and other resources, one of the great difficulties under which it now labours, in paying the public debt, is its being compelled to receive the public revenue, in the Atlantic ports, in a currency, to wit, branch notes and drafts of the western offices, not promptly convertible, and to pay the public debt in current money.

Without a large abridgment of the usual accommodations, which will, of course, greatly distress the community, the Committee are under the strongest conviction that it will be little better able to meet the pressure the Government payments will cause, on the 1st of October, than they would have been on the 1st of July. The words of Mr. Crawford, in a letter dated 6th of April, 1819, to the President of the Bank, the Committee consider peculiarly appropriate here to introduce. "Palliations may prolong the existing embarrassments, and by exciting the hopes and

fears of the community, aggravate the existing evils, but cannot influence the final result."

In another letter, dated the 9th of April, 1819, to the same gentleman, he says, "Banks, in order to secure specie payments, must approximate their circulation and individual deposits, to a sum justly proportioned to the amount of specie in their vaults. Any thing short of this, will keep them in a precarious state, and postpone the period when banking operations can be safely prosecuted upon ordinary principles."

When an institution, with investments amounting to seventy-five millions, commanding the foreign and domestic exchange of the country, monopolizing the Government deposits, cannot, at the moment when we are exporting our annual crop of cotton, amounting, by the admission of the President of the Bank, to twenty millions of dollars, (but really near thirty,) transfer a few millions of its funds abroad, to pay the Government debt without embarrassing its operations, and seriously distressing traders, is there not reason to believe that its business has been too much and too rapidly extended?

In the late letter of the President of the Bank to the Secretary of the Treasury, of the 29th March last, there is the following postscript: "As an illustration of the effect of the measures I have suggested, I may mention, that in the month of February last, the collector of New York, with a laudable anxiety to protect the public revenue, applied to the Bank to authorize an extension of loans in that city, in order to assist the debtors to the Government. This was promptly done; this I should desire to do again, as the payment to the Government during the next quarter, will be very large."

Upon a reference to the weekly statement of the office at New York, from July, 1831, to April, 1832, before alluded to, the Committee find no aggregate increase of loans; but, on the contrary, they find that there has been a reduction in the amount, viz: the amount on the 29th February, being less than on the 2d and the 8th days of the same month, and \$140,000 less on the 28th day of March, than on the 29th of February previous.

By examining the statement No. 36, it will be seen that the total amount of discounts at the New York branch, between the 4th of October, 1831, and the 28th of March, 1832, were actually diminished \$468,447 17, while during the same time, the bonds paid at that port, amounted to between nine and ten millions of dollars.

The Committee, in order to ascertain the precise manner in which the annual election of directors has been conducted, called at an early period of the investigation, for the following document, viz.: "A statement of the number of votes given at each annual election of directors since that of 1823, the whole number of votes given, the number given in person, and the number given by proxy, and in the latter case, by whom," which statement was not furnished the Committee, but the statement, marked No. 41, was furnished. This shows the whole number of proxies to be

4,533, of which the President holds, exclusively, 1,436, and as a trustee, in conjunction with others, 1,684, which gives him, without intending to impugn the exercise of the power, decidedly a preponderating control in the election of directors, a power which was never contemplated by the charter; so far from it, that instrument, as well as subsequent laws passed by Congress, have studiously endeavoured to prevent the very mischief which this accumulation of proxies in the hands of one person is most obviously calculated to produce. The charter has limited the votes of the largest stockholder, no matter what may be the number of shares, to the number of thirty, clearly with a view to prevent the whole affairs of the Bank from falling into the hands of a few individuals. It is too powerful an engine to be controlled by one man alone, and this must be apparent to the good sense of every one; yet, notwithstanding this restriction, by the use of proxies, individuals, with little or no immediate interest, can perform what those possessing a direct and deep interest are prohibited from doing. Connected with this subject, there is one which ought not to go unnoticed. The charter positively requires twenty-five directors; for some years past, as appears by the list of directors, marked No. 42, there have been but twenty-four. The President of the Bank holding the appointment from the Government and the stockholders at the same time.

The Committee cannot pass over mentioning the subject of the sums paid for printing. By reference to a statement furnished the Senate in March last, it will be seen that, from the period of the establishment of the Bank, after the year 1817, up to the year 1829, the sum paid for printing, in any one year, has not exceeded \$867 19; and in some years, it has been reduced as low as \$124 and \$165 50. But in 1830, the amount is swelled to the sum of \$6,762 54; and in 1831, to \$9,187 94. In the year 1817, the year in which the Bank was established and went into operation, and consequently a greater expense was incurred, the expense of printing was \$3,226 15.

What circumstances occurred or existed during the years 1830 and 31, to require such an unusual increase in this branch of expense over the preceding years, in the ordinary course of its business, the Committee have been unable to discover, though they called for the accounts under this head of expenditure, but have not yet received them. In the same document is contained the sums paid to "attorneys," annually, since the establishment of the Bank. This subject, owing to their limited time, the Committee were unable to investigate. Sufficient, however, came to their knowledge, to justify the belief that the sums returned as having been paid to "attorneys," embrace only what was paid to them in that *distinct* character; that the sums paid to *solicitors* and *counsellors* for the Bank are not in the amount given.

The Committee addressed the following inquiry to the President of the Bank, believing that it involved a fact which will be useful to Congress in its future legislation on the subject of its charter:—

"Did Mr. Ellsworth, or any one else of the State of Connecticut, as assessors of taxes of that State, write to request you to give him a list of stockholders belonging to that State, for the purpose of taxing them according to a law thereof?"

The President replied: "In December, 1829, Henry L. Ellsworth, of Hartford, in Connecticut, addressed a letter to me, requesting to be furnished with a list of the stockholders of the Bank residing in Connecticut, for the purpose of taxing the stock. The request was declined, for reasons which will appear in the correspondence hereunto annexed," to which the Committee refer, marked No. 43.

The Committee, in calling for various statements, have collected a number of useful documents, not referable to any particular head, but as containing a mass of useful information, they present them to the House, subject to their future order, and, if found necessary, to be appended to this Report, when it, together with the papers to which it refers, shall be published.

The majority of the Committee feel authorized to state that they have not been able to give even the present Bank that investigation which its extensive operations deserve, much less the branches—in some of which there have been subjects of complaint, but which they have been compelled to abandon for the want of time.

The Committee that investigated the affairs of the Bank in 1819, when it had been but two years in operation, with its business much less extended than at present, were engaged, as it would seem from the records of that day, from the 30th of November to the 16th of January, before they reported, and then they had not made as thorough an examination as the transactions of the institution seemed to require. At the present time, with a greatly enlarged business of sixteen years' accumulation, and twenty-five branches, whose operations have been charged with signal instances of irregularity, the Bank requires a much more minute examination than the Committee have been able to give it.

There have been many statements called for which the business of the Bank, and the shortness of the time allowed for the investigation, would not admit to be furnished. The Committee were particularly desirous of ascertaining how far the payment of the public debt, and throughout the whole term of the existence of the Bank, affected its operations, and called for all the resolutions and correspondence relating to that subject since 1817, but have only received such as related to the three per cent. loan, and the circular of the 7th of October last.

On the subject of specie payments, domestic and foreign exchange, investments in public debt, by the Bank, in 1824 and 1825, and its ability to make loans to the Government—the influence of the operations of the Bank upon trade—on the increase of the paper circulation of the Bank—its agency in diminishing or enlarging the circulation of local banks, and the means of permanently regulating our general circulation, so as to prevent its injurious effects upon the trade and currency of the country; all

matters of vital importance in the reorganization of the Bank; concerning which, the Committee submitted a number of inquiries to the president of the Bank, who has not been able, from the press of other indispensable duties, to answer; and which queries are appended to this Report. The investigations, however, which have been made, imperfect as they were, fully justify the Committee in saying, that the Bank ought not, at present, to be re-chartered.

It is obvious, from the statements submitted, and the correspondence with the Treasury concerning the public debt, and the fluctuations of the revenue of Government, that these have hitherto essentially affected the general circulation and operations of the Bank of the United States. It would, therefore, seem to your Committee to be most judicious not to act upon the question of rechartering that institution, or of chartering any other national bank, until the public debt shall have been paid off, and the public revenue shall have been adjusted to the measure of our federal expenditures.

MR. M'DUFFIE'S REPORT.

HOUSE OF REPRESENTATIVES,

Friday, May 11, 1832.

Mr. M'DUFFIE, from the Select Committee appointed to examine the books and proceedings of the Bank of the United States, submitted the following, as the views of the minority of the said Committee.

The minority of the Committee appointed to examine the books and proceedings of the Bank of the United States, dissenting from the Report of the majority, beg leave to present the grounds of their dissent, for the consideration of the House.

The majority of the Committee have submitted, without expressing any decided opinion on them, six cases which they allege to have become subjects of imputation against the Bank, touching the violation of its charter.

The first of these cases relates to usurious loans, and occurred as far back as 1822, during the presidency of Mr. Cheves. The branch bank at Lexington had received a large amount of the notes of the bank of Kentucky, a portion of them as Government deposits. These notes were considerably depreciated. The branch having declined issuing any of its own notes, in obedience to orders of the mother Bank, an individual applied for a loan of these depreciated bank notes, alleging that he wanted them to pay a debt, and that they would answer his purpose as well as any other bills. The loan was granted. The bank of Kentucky was, at the time, regularly paying to the branch interest on these notes, and finally redeemed all that remained, a few months after the loan in question. It thus appears that these bills were as good as cash to the Bank, and the borrower alleged that they were of equal value to him. It is difficult to conceive any solid ground for considering this a case of usury. It would be as reasonable to say that it would have been usury for the bank of Kentucky itself, to make a loan of its own depreciated notes. The utmost fairness was exhibited by the branch bank, in this transaction; the loan was made with reluctance, after repeated applications, and yet the directors of the mother Bank, many years afterwards, and since Mr. Biddle has been at the head of the institution, refunded to the borrower of the Kentucky notes, the full amount of the difference between their nominal and their real value at the time of the loan, with interest. This has been also done in another similar case; so that, in the only two cases which have been brought to the view of the directors at Philadelphia, for the purpose of having the amount of the depreciation refunded, the application has been

granted with a promptness and liberality highly creditable to the institution.

The minority of the Committee will barely remark, upon these transactions, that being free from all imputation of intentional usury, and never having been sanctioned by the directors of the mother Bank, but, on the contrary, corrected, they cannot furnish the slightest ground for alleging that the charter has been violated.

The second ground of imputation noticed by the majority of the Committee is, "the issuing of branch orders as circulation."

On this point the minority deem it sufficient to remark, that a branch order is nothing more nor less than a draft or bill of exchange drawn by a branch upon the mother Bank; and that the charter expressly authorizes, as one of the primary operations of the Bank, the buying and selling of bills of exchange. If the Bank has a right to issue these drafts at all, it cannot, surely, be made a ground of just complaint against it, that they are used as circulation. That is exclusively the affair of the community. The Bank cannot be justly made responsible for the use which the public may choose to make of these drafts. It is the high credit of the Bank that gives the character of circulation to this paper; and it is the voluntary act of the community receiving it as such.

In fact, there is no part of the Bank circulation which has been so beneficial to the public. It has, in practice, furnished the Southern and Western States with the means of effecting their exchanges with the North, without any expense whatever.

It may be well doubted, however, whether an extensive and permanent issue of these drafts might not prove very inconvenient to the Bank itself, in a certain state of the domestic exchanges, and it would be, therefore, a judicious measure to supersede the necessity in which these drafts originated, by authorizing other officers than the President and Cashier of the mother Bank, to sign notes for circulation.

The third ground of imputation, as relates to the violation of the charter, is, "the selling of coin, particularly American coin."

The minority would respectfully suggest that the majority have entirely overlooked the nature and essential purposes of the Bank. It may be well defined to be "an institution established for the purpose of dealing in money." Now money is a current coin; yet, a Committee of Congress very gravely bring it forward as a charge, touching the violation of its charter, too, that it has been guilty of dealing in current coins, and particularly American coins, the very end for which it was created.

As relates to dealing in current coin, the right to do so is involved in the right of lending money and of receiving it back. The authority to deal in bullion is expressly granted in the charter, because bullion is not current coin, and, of course, the right to deal in it is not necessarily involved in the right of carrying on banking operations.

The fourth ground of imputation is "the sale of stock, obtained from government, under special acts of Congress."

This charge is, if possible, more extraordinary than the last. If the acts of Congress, which expressly authorized the Bank to subscribe for Government stock, had any meaning at all, they certainly meant to authorize the Bank to acquire the right of property in the stock for which it was authorized to subscribe. The right to sell this stock at pleasure, is of the very essence of the right of property, and is as clearly conveyed to the corporation by the act authorizing a subscription, as the right to receive the interest.

The *right to sell*, therefore, is indisputable.

But the majority of the Committee seem to suppose that the policy which forbids the Bank to speculate in stocks, with its immense resources, by which the price might be "raised and depressed at pleasure," equally forbade the Bank to sell the stock for which it had subscribed by the express authority of the Government. Now it is apparent that the evil of dealing in stocks, by such an institution, can only exist in cases of *buying and selling stocks at the pleasure of the Bank*. To raise and depress prices, the Bank must have the right, both to buy and to sell alternately, as may suit its purposes of speculation. But it has never pretended to claim, much less to exercise the right of buying Government stocks, except under the express authority of Congress, and by an express stipulation with the Treasury Department. And after it has obtained a large amount of Government stocks in this mode, it is difficult to conceive how it could *raise* the price of these stocks by coming into the market as a *seller*, or how it could promote the purposes of a stock-jobbing speculation, by *depressing* the price, the only effect which could result from offering for sale. When these stocks were sold in 1825, there was an extraordinary pressure upon the money market of the whole commercial world. They constituted the very resource which the Bank most required in such an emergency; and it is now matter of history, that it was partly by the wise, judicious, and timely use of this resource, that the Bank of the United States averted from this country the calamity of a general failure of the banks, and a widely extended scene of commercial bankruptcy.

The majority of the Committee seem to regard it as a matter of complaint that the Government permitted the Bank to subscribe for these stocks, in preference to individuals. If this is indeed, a just cause of complaint, it should be made against the Government, and not against the Bank. When Congress expressly authorizes the Secretary of the Treasury to obtain a loan from the Bank, and the Secretary stipulates the terms of that loan, it is impossible to conceive how any blame can be imputed to the Bank, if it faithfully performs its engagements.

The fifth ground of imputation presented in the Report of the majority, is "making donations for roads, canals, and other objects."

In two instances, the directors subscribed small sums to certain internal improvements in the vicinity of the real estate of the Bank. This they did in the exercise of the proprietary right, and with a

view to the improvement of the value of their property. For this exercise of power, they are responsible to the stockholders alone; and the question is, whether they have, or have not, made a proper application of the funds of the corporation, with a view to the promotion of its interests? To what extent the value of the real estate of the Bank has been increased, by the internal improvements in question, has not been ascertained; but it may be well supposed that it exceeds the sum appropriated by the directors to aid in the construction of these improvements.

The other "donations" to which the Report refers, consist of small sums contributed to fire insurance companies, for the safety of the Bank property, and against which it is not pretended that any objection can be fairly raised.

The last ground of imputation, as touching the violation of the charter, is, "building houses to rent or sell, and erecting other structures in aid of that object."

The Bank is expressly authorized to purchase real estate, which has been mortgaged to secure debts previously contracted, and also such as may be sold under judgments and executions in its own favour. In the exercise of this right, the debtors of the Bank are as much interested as the Bank itself. For it must be apparent, that if the Bank were not permitted to bid at these sales, the property of its debtors would be frequently sacrificed, at a sum greatly below its value. It has been only for the purpose of saving itself from loss, and the property of its debtors from being thus sacrificed, that the Bank has ever purchased any real estate, except what has been necessary for its banking-houses. There is no description of property which a banking institution is so unwilling to own as real estate. Such an institution is entirely unsuited to the management of such property, as much so as a farmer would be to manage the discounts of a bank.

Owing to the extensive failures of the persons indebted to the Bank, in the western country, prior to 1819, the directors were unavoidably compelled to take a very large quantity of real estate, as the only means of avoiding still greater losses than they have actually sustained. They have disposed of this estate as rapidly as they could, consistently with the interests of the institution. On a portion of it they have erected improvements, to prepare it for sale, and by means of which they will save the stockholders from a great portion of the loss which would have otherwise occurred, and will recover a large amount of the debts which were some years ago set down as desperate. If, for this course of conduct, the directors are rendered obnoxious to censure, then will they be condemned for the very faithfulness of their stewardship. It is too obvious to require, or to justify the use of argument, that the right of the Bank to improve its real estate, is inseparably connected with the right to purchase—to hold, or to own it. On this subject, the House is referred to the exposition of the President, marked A.

The next subject to which the report of the majority adverts, is the loan to James Watson Webb and Company. It is proper to

remark, in the first place, that the only sums ever loaned to this copartnership, were the sums of twenty thousand, and of fifteen thousand dollars, the former in August, and the latter in December, 1831. It is also proper to remark, that the first sum was reduced to \$18,000, at the maturity of the note given for it; and that the latter sum was entirely paid off in March last, by Mr. Webb; and, as he expressly states on oath, without being requested by the Bank to do so. The whole amount of the accommodations ever obtained from the Bank by Messrs. Webb and Noah, was \$35,000; and the whole amount now due by them is \$18,000.

The grounds and securities upon which these accommodations were granted, will now be stated. Mr. Webb produced to the directors a full statement of the affairs of the copartnership, setting forth the value of their property, and the annual income derived from their paper. From this statement, which was authenticated by the oath of their book-keepers, it appeared that the nett annual income of the paper from advertisements and subscriptions, was \$25,750, after deducting ten per cent. for bad debts, and defraying all the expenses of the establishment. Upon the whole, it appeared that this was one of the most profitable, as it is certainly the largest commercial newspaper in the Union, with an immense advertising patronage, and a large and rapidly increasing subscription list.

With these exhibits, Mr. Webb produced the letter of Mr. Walter Bowne, Mayor of the City of New York, and formerly a director of the Bank of the United States, a man of wealth and high character, enclosing the application for the loan, and stating that "he did so with pleasure, and saw no reason against this being treated as a *fair business transaction*." Several of the directors, as well as the President of the Bank, were examined on oath in relation to this transaction, and as the clearest mode of exhibiting its true character to the House, extracts from these examinations will be given.

The following is the testimony of Mr. Biddle, relative to these loans.

Ques.—"Did you consider the loans made to James Watson Webb and Co. fair business transactions, such as you could not refuse without subjecting the Bank to the imputation of indulging political partiality? State fully the views and considerations on which you voted in favour of those loans."

Ans.—"I certainly considered them as fair business transactions, or I should not have consented to them. At the request of the Committee I will explain the reasons of that opinion.

"If in making loans every transaction was perfectly safe, and every borrower perfectly good, banking would be an easy office: but as men generally borrow to employ the funds in some profitable pursuit, subject, of course, to vicissitudes, all that can be expected in making loans is a fair and reasonable caution as to the situation and prospects of the borrower. Tried by these, the only tests, I think the loans in question are unexceptionable. The first was done by a board of directors, consisting, beside the presiding officer, of six gentlemen, Mr. Lippincott, Mr. Fisher, Mr. Bohlen,

Mr. Neff, Mr. Platt, and Mr. Willing, merchants and men of business, with no partialities towards the applicants, with whom none of them had the least acquaintance. The grounds of their judgment may be thus stated. In making ordinary loans, the board judge by the general standing of parties, without any examination of their affairs. But in this case the parties began by an exposition of their whole situation. This was forwarded by Walter Bowne, Esq. Mayor of the City of New York, where the applicants resided, who, in addition to his being personally known and respected by all the members, had been one of the oldest directors of the Bank of the United States, and for many years sat at the board around which the directors were then assembled. In this letter he says, "I cheerfully forward 'the papers' and I see no reason against this application being treated as a fair business transaction." He does not expressly say it ought to be granted, because he transmits at the same time some of the materials on which the directors were to form their own judgment, to which others were added by Mr. Webb. But when an old director of the Bank forwards 'cheerfully' an application to his ancient colleagues, which he says should be treated as 'a fair business transaction' it implies certainly no responsibility, but it may be well regarded as a declaration that were he still a member of the board, he would sanction it. Under these auspices the board proceeded to consider it.

"One of the parties had been appointed by the President and Senate of the United States to a confidential and lucrative post under the Government; the other had already invested \$33,000 in the paper, and his father-in-law, Mr. Stewart, whose letter accompanied the application, was known to be a wealthy man. Both were considered men of talents and peculiar aptitude for the business in which they were engaged. Then what was that business?"

"It was the conducting of the largest newspaper in the country, requiring, of course, considerable means, and giving employment to a great mass of active industry. Its situation was represented to be this:

Mr. Webb declared that there were then 3300 daily			
subscribers at \$10	-	-	\$33,000
2300 others at an average of \$4.50	-	-	10,350
275 yearly advertisers at \$30	-	-	8,250
310 days advertising at \$55 per day	-	-	17,050
Making			68,650
Deducting from this, 10 per cent. on the daily subscriptions and advertisements, (of which about one-sixth is paid in advance,) say			
	-	-	\$5,830
and 20 per cent. on the other subscribers, say	2,070		7,900
There remains a gross income of			60,750
The annual expenses were stated at	-	-	35,000
Leaving a nett annual income of			\$25,750
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This statement is confirmed by the affidavits of the book-keepers and pressmen of the establishment.

The total value of the paper was thus stated:—

James Watson Webb had invested in it \$33,000, for which \$40,000 had been offered, provided the other half could be had for \$25,000. This he declined, but it is mentioned to prove that the whole might have been sold for - - - \$65,000

Then it was an improving establishment.

It had owed a debt to the Banks of - - - 15,000
which it had paid off in April and May, 1831, out of
the collections of the last six months, which had
amounted to - - - 20,000

It had, in 1829, owed a total debt of - - - 29,000
which it had since paid off.

And at the present moment its outstanding claims were
more than its debts by - - - 10,000

for its responsibilities and means stood thus—

Outstanding debts in the country more than - - - 25,000
of which could be collected on presentation of bills - - - 10,000

Due in New York, more than four months' subscrip-
tion, which, with the unpaid arrears of the last six
months, may be safely estimated at - - - 20,000

And the property owned by the applicants amounted to - - - 8,000

Making - - - 38,000

While the whole amount of debt was - - - 28,000

Leaving an excess of - - - \$10,000

That they had been deemed worthy of credit in New York, appeared from two facts.

1. That the banks of New York had lent them \$15,000, which they had repaid.

2. That the respectable mercantile house of J. L. and J. Joseph & Co., a firm well known to the directors, had lent them \$20,000, which had been repaid out of the profits of the establishment, as those gentlemen themselves certify in a document accompanying the papers.

Finally, they had no accommodation, direct or indirect, out of any bank.

The case then stood thus: Here are two persons of skill in their profession, engaged in an establishment of which the capital is - - - \$65,000

The gross income - - - 60,750

The expenditures - - - 35,000

And the nett income - - - 25,750

“In conducting such a business, where the receipts are semi-annual, the payments daily and weekly, they naturally require, like other men in business, some credit. They accordingly apply to borrow \$20,000. They wish to borrow it, not to pay previous debts, not to spend it on objects unconnected with their business,

but for the purpose of employing it all in a way to increase the profits of the concern itself, by procuring a new press, and enlarging their means of obtaining early commercial information, and thus make the paper more valuable.

"Now the statements may be presumed to present the most favourable aspect of the case, from the sanguine temper in which men are prone to estimate their own professions and prospects, and yet unless they were wholly fallacious, the board saw enough to warrant the loan. It was further justified by the event; for when the note fell due, \$2000 were paid off at a time when the demand for money induced many other debtors to ask for a renewal of their notes.

"So much for the loan of \$20,000.

"The other loan rested on the same principles as the first, with this addition. The parties stated, that owing to the part which they had taken in regard to the Bank, they had been deprived of their usual accommodations in their business. Whatever might be the reason, the fact of an abridgment of these facilities furnished a reason for extending the loan in addition to the belief of its safety—which was, that by so doing, any hazard to the original loan might be prevented; and the best evidence of its security is, that *the parties have since repaid the loan.*

"In regard to the other loans, which appear in their names, *they were given without any knowledge of their being discounted at the Bank.* They were done at the request of a person of undoubted solidity, which has been proved in the most decisive way—by the actual payment of the notes. That they were intended to aid Mr. Noah, the drawer of the notes, in purchasing a share in a newspaper, was stated at the time. But that formed no objection. He borrowed money as thousands borrow money every day, to employ it in his active business. If Mr. Noah himself applied to the Bank for a loan to buy a share in a newspaper, and the security was satisfactory, the purpose of the loan would have made no difference. Nine-tenths of the loans made of the Bank, probably are made to persons to buy something, or to pay for something already bought. Men borrow money to buy a share in a ship—a share in a cargo—a share in a bank—a share in a canal—why not a share in a newspaper? The Bank had no difficulty about the loan, because it was thought secure, nor about the object, because that was not the concern of the Bank. It does not inquire, and does not care, where its money goes—its only anxiety is, that it should come safely back; and whether, in the interval, it is employed by a merchant, or a farmer, or a lawyer, or an editor, is a matter of which it takes no cognizance.

"In respect to loans generally to editors of newspapers, the Bank proceeds on the principle of knowing no class of citizens, and proscribing none. Even with this rule, its situation in regard to such loans is a little peculiar. From the nature of their occupations; editors engaged in the discussion of matters of national concern, have generally expressed opinions in regard to the Bank: and their dealings with the Bank render it difficult to escape cen-

sure. When an editor friendly to the Bank applies for a loan, if it is granted, it is ascribed to favoritism; if it is refused, the party naturally thinks it ingratitude. When an editor opposed to the Bank applies for a loan, if it is granted, it is deemed an attempt to influence him, while, if it is refused, it is called a persecution on account of his free opinions. The Bank has endeavoured in these matters rather not to deserve reproach than to escape it. In reply to that part of the question which relates to politics, I believe that if, in granting the loans in question, there was insensibly blended with the mere business considerations any political feeling, it was probably this: that charged, as the Bank habitually is, with hostility to the present administration, it was due to the interest of the stockholders to correct so unfounded an impression, when a fair opportunity occurred of giving accommodation to those who were considered as the most strenuous and efficient supporters of that administration. The directors of the Bank understand too little of the subject to attempt to adjust the balance of accommodation to political parties, nor have I myself ever had even curiosity sufficient to notice it, until the inquiry of the Committee has suggested it. But, undoubtedly, as the Committee cannot fail to perceive, by far the greatest amount of loans to editors is to the friends of the present administration, and a large portion of that to the decided opponents of the Bank."

All the directors who were examined, testified that they granted these loans under the full belief that they were safe loans, and Mr. Cope, a gentleman of intelligence and high character, gave the following explanation of the views and motives by which he was governed in voting for the second loan of \$15,000.

"Documents," said he, "were exhibited to the committee, containing a statement of the names of the parties to the note, by which they appeared to be worth about \$30,000, with a prosperous business, and a large subscription list. The loan was made, as all other loans are made, without any regard to the politics or business of the parties, but solely because it was the business of the Bank to lend on adequate security.

"I was well aware, at the time, that they were partisan printers, and I knew that if we made the loan it might be ascribed to improper motives, and that if we rejected it, it might be said we persecuted the individuals on account of their politics."

Such are the grounds upon which the directors granted these loans to James Watson Webb & Co.

It will be readily perceived that the directors of the Bank were placed in very peculiar circumstances by this application. They had been accused in various quarters of having brought the power of the institution to bear upon the politics of the country, and particularly with having taken sides against the present administration. Having invariably pursued a course in their transactions which recognized no distinction of political parties, it was very natural that, while labouring under the imputation just stated, they should have been scrupulous to avoid giving any colour of foundation for it.

As the evidence and recommendation produced, satisfied all the directors of the safety of the loan, they could not but feel that, if they refused to grant it, they would give countenance to an imputation which they were laudably anxious to avoid.

It is proper to add, that James Watson Webb & Co., in their paper, the *Courier and Enquirer*, had declared themselves in favour of renewing the charter of the Bank some months before the application for their first loan; and that they stated to the Directors, on making application for the first loan, that the bank of New York had cut them off from their accustomed facilities, as they believed, in consequence of their espousing the cause of the Bank of the United States.

It is also proper to add, in this place, that the loan of \$17,975 which was made in March, 1831, was not a loan to Webb and Noah, or to either of them. The money was borrowed by Silas E. Burrows, a man of large fortune, upon his own responsibility, without the knowledge of either Webb or Noah. They both testify that they had never been apprised that Mr. Burrows had obtained this loan from the Bank, until a very short time previous to the visit of this Committee to Philadelphia. They had, until that time, been under the impression that the money was obtained for them of Mr. Silas E. Burrows, in Connecticut. The following extract from the testimony of Mr. Biddle will exhibit a clear view of this transaction.

"These notes were discounted by the exchange committee, under the resolutions just referred to. They were done at the request of Mr. Silas E. Burrows, of New York. Mr. Burrows had, some time before, brought me a particular letter of introduction from an old friend, Mr. Monroe, the Ex-President. Mr. Burrows had been very liberal to Mr. Monroe in his pecuniary misfortunes; and he had recently received from the President of the United States particular thanks and commendations for his generous conduct towards a Russian ship of war. I understood him to be a very rich merchant, of kind and benevolent disposition, and constantly engaged in doing acts of liberality. In one of his visits to Philadelphia, he said he was desirous of befriending Mr. Noah, and assisting him in the purchase of a share in a newspaper, and he asked if the Bank would discount the notes of these parties, adding that, although, as a merchant, he did not wish to appear as a borrower, or put his name on a paper not mercantile, yet he would at any time do so whenever it might be necessary to secure the Bank.

"The committee being authorised to discount any paper, the security for which they might approve, agreed to do them. As Mr. Burrows was going out of town, I gave him the money out of my own funds, and the notes were afterwards put in my possession. They remained with me for a long time, as I had no occasion to use the funds, nor was it till the close of the year that my attention was called to them by the circumstance that, as a new board of directors and a new committee of exchange would

soon be appointed, the same committee which made the loan should consummate it.

"I had seen, also, in the public prints, many reproaches against the Bank for lending money to printers and editors, and I was unwilling that any loan made by the Bank should seem to be a private loan from one of its officers. Having no use for the money, it would have been perfectly convenient to let the loan remain as it was, but I thought it right that every thing done by the Bank should always be distinctly known and avowed, and I therefore gave the notes to the chairman of the committee, Mr. Thomas P. Cope, who entered them on the books. On the 2d day of March, Mr. Burrows called at the Bank and paid the notes. I ought to add that the loan was made at the request of Mr. Burrows, and that neither I nor any of the committee had ever seen Mr. Noah or Mr. Webb, or had any communication with them, direct or indirect, about the loan. It was made on the credit of Mr. Burrows, who afterwards paid it."

It appears that Messrs. Webb and Noah avowed themselves in favour of a renewal of the charter of the Bank of the United States on the 8th of April, 1831. It is difficult, therefore, to conceive what possible influence could have been produced upon their cause by a *loan to Mr. Burrows*, of which they had no knowledge. It is equally difficult to perceive how the loans of August and December, 1831, could have had any possible agency in producing the change which it is alleged took place in the course of these editors, upwards of four months before.

Under all the circumstances of this case the minority of the Committee declare, without any reserve, that there is nothing in these transactions calculated to induce them to doubt the honour and integrity of the directors, and this, they feel authorized to say, is the opinion of a majority of the Committee, from the opinion already publicly expressed of one of its members.* They also deem it to be due to the occasion, and to their own sense of justice, that they should add, that they do not believe there exists in the United States a bank direction composed of more upright, independent, and honest men, than that which granted the loans in question.

Most, if not all of them are men of independent fortunes, having no connexion with politics, and being entirely independent of banks. They are generally men who are engaged in a safe and successful business, with fortunes, which they have made, not by adventurous speculations, but by steady industry and moderate but certain profits. This is, indeed, the general character of the merchants and capitalists of Philadelphia, a circumstance which renders the location of the Bank in that city peculiarly fortunate for the stockholders and for the country.

The next subject brought to the view of the House by the Report of the majority, which it is now deemed necessary to notice,

* Col. R. M. Johnson.

is that of the transactions of the Bank with Thomas Biddle & Co.

Mr. Thomas Biddle, the principal member of the firm, is a distant relation of the President of the Bank, and it was owing to this circumstance, probably, that his accounts underwent a most prying, not to say inquisitorial, examination.

The first thing that struck the attention of a part of the Committee, as worthy of scrutiny, was the fact, that this house had obtained from the Bank, in August, 1831, loans to the amount of upwards of a million of dollars, on a pledge of stocks,—a sum which had been gradually reduced, however, to about six hundred thousand dollars.

On examination it was found that this loan had been made at the special instance and urgent solicitation of the directors of the Bank; and that the Bank, and not Thomas Biddle & Co, was the party accommodated. The Government having then recently paid off several millions of its stock, which the Bank had owned, the consequence was, that a large portion of the money capital of the institution was rendered unproductive, and it became a matter of great importance to have it invested. In this state of things, the directors adopted a resolution, authorizing a loan of a large sum at less than the legal interest, upon the security of any good stocks. It is to be here remarked, that this was that portion of the capital of the Bank which had never been invested, and which it was not deemed expedient to invest, in the routine business of discounts. The loan to Thomas Biddle & Co., on the pledge of stocks, was analogous to a loan to the Government. The stocks could, on any emergency, be sold and converted into cash; so that this investment had, in some sort, the twofold attribute of money in the vaults of the Bank, to meet any pressing demands against it, and money, at the same time, drawing interest.

All the directors, who were examined on the subject, stated that they considered this transaction more for the benefit and accommodation of the Bank than for Thomas Biddle & Co.; and the President of the Bank of Pennsylvania stated, on oath, that the bank over which he was president, would have been very glad to have made large loans to Thomas Biddle & Co. at the same time, and upon the same terms—the board of directors of that bank having authorised such loans at $4\frac{1}{2}$ per cent.

There was one occurrence during the examination of the transactions of Thomas Biddle & Co. with the Bank, which merits particular notice.

An informer and witness, by the name of Whitney, who had formerly been a director of the Bank, was produced, who declared upon oath, that, in May, 1824, two of the cashiers of the Bank, and one of the discount clerks, had informed him that Thomas Biddle & Co. had been in the habit of drawing money out of the Bank, on a deposit of stock in the teller's drawer, *without paying interest*; and that the President of the Bank had discounted two notes, one for Thomas Biddle & Co. and one for Charles Biddle, without the authority of the directors. This witness stated, that he went with

these officers of the Bank, and examined the teller's drawer and the discount book, and found the facts which had been stated to him, verified by the examination. He also stated, to give additional certainty to his averments, that he made a memorandum at the time, with the dates of the transactions, which memorandum he produced to the Committee. Having thus unalterably fixed the date of the transaction, as if by some fatality, he went on to say, that he immediately proceeded into the room of Mr. Biddle, the President, and remonstrated with him against these irregular proceedings; and that Mr. Biddle promised him that they should not occur again.

Mr. Biddle was present during the examination of this witness. On that day, being on oath, he said that he was utterly astonished at the testimony of the witness, and could only oppose to it his solemn declaration, that there was not one word of truth in it from the beginning to the end. He added, that from the relation in which the witness stood to him, he would have sunk into the earth, sooner than he would have dared to come to him with such a remonstrance as he pretended to have made. The officers of the Bank, from whom the witness alleged that he derived this information, were examined, and all of them positively contradicted him. They testified and demonstrated from the books, that Thomas Biddle & Co. had never obtained money in any instance without paying interest, and that the two notes which Whitney asserted to have been discounted by the President alone, had been discounted regularly by the directors.'

In the interval between the adjournment of the Committee that day, and its meeting the next, a member of the board of directors suggested to Mr. Biddle, that he was about the time of this alleged transaction, in the city of Washington. On examining the journals of the board and the letter book, it was found by entries and letters, that for several days previous to the alleged interview between the President and Whitney, and for several days afterwards, the President was absent on a visit to this city, on the business of the Bank, and General Cadwalader was acting as president in his place!

Thus was this artfully devised story, which was intended to blast the reputation of a high-minded and honourable man, through one of those extraordinary interpositions by which Providence sometimes confounds the contrivances of the wicked, made to recoil upon the head of its inventor, who must forever stand forth as a blasted monument of the speedy and retributive justice of heaven. It is important, here, to add, that the President was in this city, not only at the time of the alleged interview, but at the very time when the notes of Thomas Biddle & Co. and Charles Biddle, were discounted, which Whitney swore were discounted by the President alone.

The minority of the Committee will avail themselves of this occasion to say, that they have the most conclusive evidence, that in all the transactions of the Bank with Thomas Biddle & Co. and Charles Biddle, the President has been not only free from the

slightest imputation of partiality or favouritism, but that his conduct has been invariably governed by a nice and scrupulous sense of delicacy and propriety. And this they feel authorized to say, is the opinion of a majority of the Committee. The following resolution was unanimously adopted by the Committee:

Resolved, That the charge brought against the President, of lending money to Thomas Biddle & Co. without interest, and of discounting notes for that house, and for Charles Biddle, without the sanction of the directors, are without foundation; and that there does not exist any ground for charging the President with having shown, or manifested a disposition to show, any partiality to these individuals, in their transactions with the Bank.

The Report of the majority, adverting to the withdrawal of specie from the southern and western branches, and the substitution of paper in its stead, suggests a doubt whether their operation may not be highly injurious to the southern and western States. So far from concurring in this doubt, the minority are of the opinion, that there are no portions of the Union so much benefitted by the general operations of the Bank as the south-western and western States, and that the change produced by the Bank in this system, and in the rates of domestic exchange, has been particularly beneficial to the whole of the southern and western States. Connected with the exchange operations of the Bank, the transmission of specie from New Orleans to the northern Atlantic cities, is nothing more than a natural operation of trade, carrying the specie imported at New Orleans to its appropriate markets. This operation is carried on by the Bank instead of being left to individuals, to the undoubted advantage of the community.

With a view to connect itself more completely with the commercial operations of the country, the Bank has also deemed it expedient to deal freely in foreign exchange. It is obvious that this branch of its business is as important to the foreign commerce of the country, as dealing in domestic exchange is to our internal commerce.

Having heretofore had large funds in Europe, and having still extensive credits there, it has been, and still is, the policy of the Bank to afford to the mercantile community every facility for carrying on foreign commerce. At the south, where the staples of exportation are produced, it is constantly in the market as a purchaser of bills on Europe, to the great benefit of the planter; and at the north, where foreign merchandise is imported, it is as constantly in the market as a seller, to the like benefit of the importing merchant. In this way the price of foreign bills is kept uniform and steady, and those injurious fluctuations are prevented, which would otherwise operate as heavy taxes upon the business classes of the community for the benefit only of private dealers in exchange.

The majority of the Committee have selected for commentary a particular branch of the foreign exchange business of the Bank—that which is connected with the trade of India and South America. This subject has been already explained in another form, and

it will be sufficient to remark here, that it has almost entirely arrested the direct exportation of specie from this country to China, and that it saves to this branch of our trade the whole of the interest upon the entire amount of every commercial adventure, for at least six months out of twelve. On the subject of the general facilities which the Bank has afforded to the country, in the operations of foreign commerce, the minority of the Committee will refer the House to the perspicuous exposition furnished by the President, of the general operations of the institution, which is herewith submitted, and marked A.

It will be seen from this document that during the recent pressure upon the commercial community, produced by the excessive importations of the last two years, the Bank furnished, since September last, "from its own accumulations and credits in Europe, the means of remittances in its own bills, to the amount of \$5,295,746, and parted with its surplus specie to the amount of five millions, making an aggregate contribution to our commerce of \$10,295,746."

The extent to which these operations of the Bank must have relieved the country, are too obvious to require comment. Without this temporary relief—and it was only temporary relief that the community required—the greatest commercial distress would have probably ensued. The crisis is now nearly passed. The pressure on the money market has, in a great measure, ceased; commerce has had time to correct its own excesses; importations have been diminished, the unfavourable state of the foreign exchanges no longer exists; specie has ceased to flow from the country, and has begun to flow into it. Since March last, the specie in the Bank has increased more than a million of dollars, and every thing is rapidly assuming a sound and healthy condition.

The majority, in the concluding part of their Report, intimate the opinion that the Bank, by its imprudent and excessive issues, has had a considerable agency in producing the overtrading and excessive importations of the last year.

Whatever show of plausibility there may be in this opinion, facts demonstrate that it is entirely erroneous. It will be seen from the statements herewith exhibited, that the domestic discounts of the Bank had not increased perceptibly, from March, 1829, to March, 1831; but that they maintained an almost uniform level during the whole of the intervening period. The excessive importations, however, commenced in March and April, 1831, and must have had their origin in causes some months anterior. It is apparent, therefore, that these excessive importations were not produced by the excessive issues of the Bank, and must have originated in other causes connected with the state of Europe. The more correct view of the subject is, to consider the excessive importations as producing a state of things which rendered it necessary for the Bank to extend its discounts, with a view to relieve the community from the temporary pressure to which it was thus exposed.

It so happened, that at the very time the country stood most in need of bank accommodations, the Bank had increased means and inducements to extend those accommodations. The Government having paid off, within the last eighteen months, ten millions of its stock, which was held by the Bank, the directors found that if they did not increase their discounts considerably, some millions of their capital must be idle and unproductive. It thus happened that the wants of the community, the means of the Bank, and, it may be added, the obligation of the directors to the stockholders and to the community, all co-operated to call for that extension of bank accommodations, which, so far from having produced over-trading and excessive importations, has been the means of correcting and mitigating the temporary evils and embarrassments which these irregularities of trade would otherwise have unavoidably produced.

The minority of the Committee deem it to be their indispensable duty to notice that part of the Report of the majority, which institutes a comparison between the resources of the Bank and the condition of the country in 1819, and at the present time. They cannot but regard the comparison thus presented by the Report, as unfair and partial, and calculated to produce impressions on the public mind as absolutely erroneous as they would be positively pernicious.

If it had been the design of the majority to produce a scene of general embarrassment and distress in the commercial community, in the absence of any natural causes for such a state of things, they could not have adopted a more effectual means of accomplishing such an object than they have done in this part of their Report.

Fortunately, however, for the country, the commercial community of the United States have too much intelligence to be thrown into a panic by the loose, disjointed, and garbled statements, the crude speculations, and the random conjectures, in which a part of the community have thought it expedient to indulge. If a general alarm has not ensued, producing a run upon the banks, or curtailment of discounts, and a general scene of failure and distress, particularly among the Government debtors in our principal importing cities, it is because the community understand the subject better than a portion of the Committee, and have placed a proper estimate on their statements and speculations.

There are no two periods of our commercial history so utterly dissimilar as those which have been selected for the comparison instituted by a part of the Committee. In 1819 the Bank was engaged in the painful but necessary office of correcting a redundant and depreciated currency, produced by political causes, and having scarcely any connexion with the state of trade.

At this moment, whatever may be said to the contrary, our currency is in as sound a state as that of any country in the world; and this is conclusively proved by the state of our foreign exchanges, and the relative value of bank paper and coin in our own markets. The foreign exchange is an infallible barometer to in-

dicating the soundness or unsoundness of our currency. A reference to the state of the exchange between this country and Great Britain at this time, will furnish a conclusive reply to the charge brought against the Bank, of having encouraged over-trading by excessive issues, and a depreciated currency. In fact, specie is now flowing into the country, by the natural course of trade, a phenomenon which is utterly inconsistent with the alleged depreciation of our currency.

After making a partial and imperfect statement of the relative resources and responsibility of the Bank in 1819, and at the present time, the Report expresses the opinion that "at no period in 1819, when the Bank was very near suspending payment, was it less able to extend relief to a suffering community, as [than?] at the present moment.

Now, the very complaint urged by a part of the Committee against the Bank is, that it has been too liberal in its discounts, or, in other words, that it has granted too much relief to a suffering community already; and yet it is here set down, as a subject of lamentation, that the Bank is not able to *extend* this relief still further! The country has just been labouring under a considerable, but temporary pressure upon the money market, during which the Bank, with as much liberality as judgment, has put forth all its resources to sustain and relieve the commercial community. The crisis of this pressure has already passed by, and the necessities of the merchant for bank accommodations are gradually diminishing; and it is precisely at this point that a part of the Committee, having complained that the Bank went too far in its accommodations when they were necessary, complain, also, that it cannot go still further, now that the emergency is passing away.

The actual resources of the Bank will now be stated, with a view to show its perfect ability to meet all its engagements. The specie in its vaults on the first of the present month, was \$7,890,347, being upwards of a million more than it was in March last.

There was due, then, from the State banks, \$726,196. The domestic bills of exchange held by the Bank on the 1st of May, amounted to \$23,052,972, ten millions of which will be paid in the course of a month, and none of which have a longer period to run than ninety days. These sums united make \$31,669,515, a fund, the greater part of which may be considered as available for any probable emergency of the Bank, as so much specie in its vaults. These domestic bills of exchange are founded upon the actual operations of our internal trade, and are in fact drawn in anticipation of the southern and southwestern crops, which regularly arrive in the northern and eastern cities in time to pay them. They are uniformly and promptly paid at their maturity, without any expectation of a renewed accommodation from the Bank, as in the case of discounted notes. In addition to the sum already stated, the Bank has good notes discounted on payment, and other security, amounting to \$47,375,078, and real estate and foreign bills, amounting to \$3,012,825.

The whole of the available resources of the Bank will be thus seen to amount to \$82,057,438, at least one half of which could, on any emergency, be converted into cash, in the course of a few months. On the other hand, the whole amount of the responsibilities of the Bank, including the circulation, foreign debt, and public and private deposits, amount to only \$43,685,603.

So that, instead of being reduced to the frightful predicament of having only "an aggregate of \$9,640,000 to meet an aggregate responsibility of \$42,643,000," which the author of the Report might well set down with two notes of admiration, the Bank has undoubted resources amounting to \$82,057,438, to meet a responsibility of \$43,685,603.

In the actual state of the country it is visionary in the extreme to imagine the Bank is in the slightest danger of being reduced to the necessity of "suspending payment." The whole amount of its circulation is now only \$22,000,000, and this is the only portion of its responsibility which can be properly taken into the estimate, in the view now under consideration. The deposits, except in periods when all commercial confidence is lost, so far from being properly regarded as a debt for which the Bank should make provision, as for its circulation, are universally considered by all banks, as a fund upon the faith of which they may safely issue their paper to an equal amount. Whatever may be the amount of the deposits, at any given time, it is a fair calculation, founded on actual experience, that it will be equally as great at any future time.

If this were not the case, the Government deposits, about which so much has been said, would be of no value to the Bank, but on the contrary, a very great incumbrance.

Upon the whole, then, the Bank is not only fully able to meet all its engagements, but is in a state of the highest prosperity. And it is but bare justice here to remark, that its general operations have been conducted with singular judgment and ability, in those very particulars which a part of the Committee have selected as topics of disapprobation and censure.

The minority of the Committee will barely advert to some of the other topics introduced into the Report.

It is alleged that the Bank has given an undue extension to its branches, and by some process of reasoning, difficult to comprehend, it seems to be inferred, that the alleged excess of the circulating medium is owing, in part, to that cause. It is sufficient to remark, on this point, that the greatest improvement which has been made in the administration of the Bank, and that which gives it its true federal character, has been effected by the establishment of branches wherever the commerce of the country required them; and by the system of exchange operations, which these branches have enabled the Bank to carry into effect.

The whole business of dealing in domestic bills of exchange, so essential to the internal commerce of the country, has been almost entirely brought about within the last eight years. In June, 1819, the Bank did not own a single dollar of domestic bills; and in De-

cember, 1824, it owned only to the amount of \$2,378,980; whereas it now owns to the amount of \$23,052,972.

The opinion of Mr. Cheves, in 1819, is adverted to in the report, to prove the impolicy of increasing the number of branches; and the fact is stated, that a large proportion of the losses sustained by the Bank has been owing to the mismanagement of the branches.

The opinion of Mr. Cheves was founded on the peculiar state of things which existed at the time. He felt the difficulty of controlling these branches, of which, as he stated, "the directors were frequently governed by individual and local interests and feelings;" and he came into the administration at a time when immense losses had been suffered by their mal-administration. But it is very important, to remark—what the Report does not bring to view—that almost all the disproportionate losses incurred by the branches were previous to 1819; and that, since the extension of the branches, of which the Report complains, they have not sustained greater losses, in proportion, than the mother Bank; while nine-tenths of the commercial facilities afforded to the country, and nine-tenths of the profits secured for the stockholders, have resulted from the operations of these branches.

The Report makes reference to the obligation of the Bank to transfer the funds of the Government, to any point where they may be wanted for disbursement, and seems to have made the extraordinary discovery, that this operation is no burden at all, but an actual benefit to the Bank! For the satisfaction of those who might be sceptical, the words of the Report will be given:

"The largest portion of the revenue, particularly from imports, as is universally known, is collected in the Atlantic cities north of the Potomac. These cities being the great marts of supply to nearly the whole of the United States, and places to which remittances centre from almost every part of the country, creates a demand for funds upon them from nearly every quarter, constantly, and generally at a premium. Therefore, so far as the Bank is called upon to transfer funds from those cities to other places, *it becomes a matter of profit and not of expense to it; and the greater the distance, the greater the premium; and the larger the amount they required to be transferred by the Government, and the greater the distance, the greater the profit and advantage to the Bank.*"

If these views of the Report be correct, the Bank is certainly an invaluable institution. It has not only annihilated time and space, but it has done something more. It has produced such a state of the exchanges, that it is much easier for a man in New York to pay a thousand dollars in St. Louis than to pay it in Wall Street; and in which, consequently, the New York debtor actually makes a profit by being required to pay his debt a thousand miles off, instead of paying it at his own door! If this be a correct view of the subject, it is undoubtedly one of the greatest of the modern discoveries in finance and commerce.

But the minority are still incredulous. They cannot understand how it is possible for the Bank to make a profit by transferring

funds, when it is expressly stipulated that they shall transfer them for nothing. Nor can they well conceive how the loss which the Bank sustains by the operation of transferring funds for the Government, can be less than the difference between the "nothing" which it receives from the Government, and the profit which it would derive from the same operation, if performed for individuals.

If the Government collected its revenues in specie at New York, and had occasion to expend it at St. Louis, it would certainly cost it something to transport the specie from the one place to the other. If, in the absence of a federal bank, it collected its revenues in the bills of state banks, as it would be obliged to do, the operation of transferring these funds to distant places would involve a still greater expense. But under the existing system, the Bank is responsible for the safe custody of the Government funds, and for placing them wherever they may be required, without any expense whatever to the Government.

If then, the Bank has not "aided the fiscal operations of the Government," as the Report seems to intimate, a uniform currency and a revenue safely kept, and universally transferred at the risk of the Bank and without expense to the Government, affords no aid to its financial operations.

The Report, adverting to a letter from the President of the Bank, of the 29th March last, in which he informs the Secretary of the Treasury, that the collector of New York had requested the "Bank to authorize an extension of loans in that city, in order to assist the debtors of the Government," and that this had been promptly done, gives a view of the discounts of the office at that place, calculated to make the impression that no extension of loans had taken place. This is an error. It proceeds from confounding notes discounted with bills of exchange purchased by the Bank. It will be seen by the weekly statement of the New York board, that the amount of notes discounted on the 1st of September, 1831, was \$4,103,134, and that on the 21st of March, 1832, a few days before the date of the President's letter, the amount was \$4,834,917, exhibiting an increase of \$731,782, in a little more than six months.

If the amount of domestic bills falling due at a distance, during the same period, was larger than the amount purchased by the Bank—this fact has nothing to do with the extent of the accommodation afforded by the Bank to the merchants of New York. The true measure of that accommodation is the amount of domestic notes discounted, and not the amount of these notes united to that of the domestic bills purchased.

That the Bank has relieved the commercial community of New York, during the recent pressure, is a fact well understood and practically felt by the merchants there; and it will be difficult to reason them out of the convictions of their own experience by artificial statements and conjectural inferences. Upon a review of the whole ground occupied in the examination they have made, the minority are of the opinion that the affairs of the Bank have

been administered by the President and Directors with very great ability, and with perfect fidelity to all their obligations to the stockholders, to the government, and to the country. They regard the Bank as an institution indispensable to the preservation of a sound currency, and to the financial operations of the Government, and should consider the refusal of Congress to renew the charter as a great national calamity.

They will add, in conclusion, that they are equally decided in the opinion that Congress is called upon by the most weighty and urgent considerations to decide this important question during the present session. The uncertainty which prevails on this subject, is calculated to exert a very pernicious influence over the industry, enterprise, and trade of the country. If the charter of the Bank is not to be renewed; if the tremendous operation of withdrawing from the community fifty millions of Bank accommodations, and twenty-two millions of its circulating medium, must take place, it is full time that it should be distinctly known, that the shock of this operation may be mitigated by timely arrangements on the part of the Bank; and that the community may have time to provide the necessary substitutes. Considering the immense extent of the operations of this institution, the time which its charter has yet to run will be scarcely sufficient for winding up its affairs.

To the Report of the majority is appended a great number of questions, proposed to the President of the Bank by a member of the Committee on the general subjects of banking and currency. As the questions alone throw very little light on these matters, the answers are herewith submitted for the information of the House.

GEO. M'DUFFIE,
J. Q. ADAMS,
J. G. WATMOUGH.

MR. ADAMS'S REPORT.

HOUSE OF REPRESENTATIVES.

Monday, May 14th, 1832.

MR. ADAMS, of the Committee appointed on the 15th of March, 1832, to examine and report on the books and proceedings of the Bank of the United States, submitted the following

REPORT :

The subscriber, one of the members of the Committee appointed on the 15th of March last to proceed to Philadelphia to inspect the books, and to examine the proceedings of the President and Directors of the Bank of the United States, and report thereon—and particularly to report whether the charter of the Bank has been violated or not, dissenting from the report agreed upon by the majority of the Committee, deems it his duty to submit to the House the considerations upon which his own conduct in the proceedings of the Committee has been governed, and the conclusion to which they have brought his mind in relation to this subject.

It will be recollected by the House that the appointment of the Committee was made upon a resolution offered by the subscriber as an amendment to a resolution previously offered by the Chairman of the Committee. The amended resolution adopted by the House, was predicated on the principle avowed by the proposer of the amendment, that the original resolution presented objects of inquiry, not authorized by the charter of the Bank, nor within the legitimate powers of the House—particularly that it looked to investigations which must necessarily implicate not only the President and Directors of the Bank and their proceedings, but the rights, the interests, the fortunes, and the reputation of *individuals* not responsible for those proceedings, and whom neither the Committee nor the House had the power to try, or even to accuse before any other tribunal. In the examination of the books and proceedings of the Bank, the pecuniary transactions of multitudes of individuals with it, must necessarily be disclosed to the Committee, and the proceedings of the President and Directors of the Bank, in relation thereto, formed just and proper subject of inquiry—not, however, in the opinion of the subscriber to any extent, which would authorize them to criminate any individual other than the President, Directors, and Officers of the Bank or its branches—nor them, otherwise than as forming part of the official proceedings. The subscriber believed that the authori-

of the Committee, and of the House itself, did not extend, under colour of examining into the books and proceedings of the Bank, to scrutinize, for animadversion or censure, the religious or political opinions even of the President and Directors of the Bank—nor their domestic or family concerns—nor their private lives or characters—nor their moral or political, or pecuniary standing in society—still less could he believe the Committee invested with a power to embrace in their sphere of investigation, researches so invidious and inquisitorial over multitudes of individuals having no connexion with the Bank other than that of dealing with them in their appropriate business of discounts, deposits, and exchange.

In these views he felt himself the more confirmed, because he perceived no other course of inquiry that could be pursued, without invading the sanctuary of private life, and committing outrage upon the most precious of social rights. The transactions of the Bank with their customers, are in the ordinary course of their business, highly confidential; an examination into them by strangers, so far as it implicates the individuals with whom the Bank has dealings, bears all the exceptionable and odious properties of general warrants and domiciliary visits. The principle of this protection to individual rights is recognized in the charter of the Bank itself, and in its by-laws. By the fifteenth fundamental article of the charter, a limited power is given to the officer at the head of the Treasury Department to inspect the general accounts and books of the Bank, with an express exception of the account of any individual, and in the by-laws of the Bank, there is a provision that no stockholder shall be permitted to inspect any account of any person with the Bank, other than his own. The same restriction is not indeed applied to the authority given in the 23d section of the charter to the Committees of either House of Congress, appointed to inspect the books, and examine the proceedings of the corporation; but that section neither gave nor could give powers of judicial authority to be exercised over any individual for purposes of crimination or of trial. The Committee are to inspect the books and examine the proceedings of the corporation, and to report *thereon*. But they are not authorized to examine or report upon the accounts or proceedings of individuals. The examinations by Committees authorized by the charter, are from the context of the sections, evidently given as preliminary means, for bringing the corporation, in the event of malpractice, on their part, real or suspected, before a judicial tribunal for trial—Whenever a Committee so appointed reports that the charter has been violated, the final action of Congress in the case is limited to the discretionary power of directing that a *scire facias* should be sued out from the Circuit Court of the United States, for the district of Pennsylvania, requiring the corporation to show cause why their charter should not be declared forfeited. But so justly and so wisely tender was the Congress which constituted the corporation to reserve to the President and Directors of the Bank the enjoyment of their civil rights, that the same section which gives to Congress this control over them, expressly pro-

vides that for the trial of the *facts* at issue between them and the United States, upon the return of the scire facias, they shall be entitled to the benefit of a *jury*. The corporation therefore cannot ultimately suffer by deprivation of their rights upon the unfavourable report of any Committee of Congress, nor even by the order of Congress itself that a scire facias should be sued out. The protective shield of the constitution, *trial by jury*, is extended over them; the sacred trust of their franchises is expressly placed under the guardianship of that power conservative of all individual rights—the verdict of their peers.

In the present case, the resolution originally offered by the Chairman of this Committee, was avowedly presented for another purpose—not with a view that the final action of the House upon the result of the examination should be the direction that a scire facias should be sued out to give the corporation the benefit provided for them by the law itself, of a fair trial by jury, but that by ransacking all the books and proceedings of the corporation from its first organization to the present day, some latent fraud, looseness, or irregularity, might be detected in the proceedings of the President and Directors, present or past of the Company, which might be elaborated and wrought up into an argument against the renewal of the charter of the Institution. This was the avowed purpose of a member claiming the right of being considered as a perfectly fair, cool, and impartial investigator of those proceedings, and, at the same time, that if the result of them should be to exonerate from all blame the responsible officers of the Company, the inquisitor should still be at liberty to vote and speak against the renewal of the charter upon the ground of constitutional scruples.

It was only by virtue of the 23d section of the act of incorporation of the Bank, that the House possessed the power of appointing a Committee with authority to examine the books and proceedings of the corporation; and that section distinctly indicates the purposes for which this power was reserved. It was to furnish the means in the event of the commission of gross abuses on the part of the President and Directors, *to put them upon trial*. The right of trying them is not reserved to the House itself—nor can it by the House be conferred upon any Committee. It belongs exclusively to the Judicial Courts. It is a familiar argument to many expounders of the Constitution of the United States, that no power granted to Congress can be exercised for any other purpose than that for which it was granted. The importance of this principle may be seen in the consideration that it is the only foundation of the argument against the constitutionality of a protective tariff. It is contended that a grant of power to levy taxes, duties, and imposts, to pay the debts and provide for the common defence and general welfare, cannot justly be construed into a power to levy the same duties, taxes, imposts, and excises, for the protection of manufactures. If there be any soundness in this principle, apply it to this reservation of power in either House of Congress to appoint investigating and examining Committees on the books and proceedings of the Bank. The

power is reserved for the purpose of enabling either House of Congress to put the President and Directors upon trial for delinquency—upon trial by the judges of the land—upon trial by a jury of the vicinage. It is not reserved for the purpose of enabling a Committee of the House to ruin the President and Directors in fortune or reputation, by a partial, prejudiced, electioneering report; condemning them as victims of political rancour, without law or justice—without judge or jury—nor is it reserved even to enable the House to determine the expediency of renewing the charter of the Bank. The power is not reserved for that purpose; nor, if there be any soundness in the argument against the constitutionality of the protective tariff, can it be exercised for that purpose. In this view of the subject, the House would not even have possessed the lawful power of appointing the Committee. The Committee was appointed not for the purpose of putting the President and Directors of the Bank upon trial; nor was it intended by the mover of the resolution that they should have the benefit of a trial by jury.

It is not the intention of the subscriber to press this course of reasoning; to which, in its application to the tariff, he does not yield his assent. To those who hold the doctrine that the purpose for which a power is granted forms an indispensable condition for the lawfulness of its exercise, he leaves the argument to bear with its proper weight. But if under a power to appoint investigating Committees, to ascertain by the verdict of a jury whether the charter has been violated or not, a constructive power is given to sport with the feelings, and fortunes, and reputation of honest and honourable men, because they happen to hold the offices of President and Directors of the Bank of the United States, there is surely no authority given in the Bank charter, to pry into the accounts and pecuniary transactions, and to scrutinize the fortunes and characters of thousands of individual citizens of the Union, merely because they have an account in Bank, which in the examination of the books and proceedings of the corporation, must incidentally be disclosed. The subscriber is under a deep and indelible impression that no such power is given to Congress by the charter of the Bank, nor does he believe that such a power can be exercised, without a flagrant violation of the principles upon which the freedom of this people has been founded.

It was under this impression that he moved the amendment, which received the sanction of the House, to the resolution originally offered for the appointment of an investigating Committee. That amendment was carried by a considerable majority of votes in the House. The course of investigation pursued by the majority of the Committee has, however, been not conformable to the principles of the resolution adopted by the House, but to those of the original resolution, which the House did not accept; a consequence which was naturally to be expected, from the circumstance that a *majority* of the Committee was appointed from the *minority* of the House—that is, from those who had voted against the amendment *adopted* by the House.

The question of the principles upon which the examination

was to be conducted, occurred immediately after the arrival of the Committee at Philadelphia, and it was determined conformably to the views of a majority of the Committee, representing, so far as the views of the House had been manifested, a minority of the House.

There was accordingly no restriction to the latitude of investigation, as it had been proposed in the original motion of the Chairman of the Committee. No objection was made on the part of the President and Directors of the Bank, excepting that the President did remind the Committee of the confidential nature of the transactions between the Bank and its customers, with the assurance of his reliance that it would be considered and respected. All their books, and all the accounts of individuals with the Bank, called for by any member of the Committee, were exhibited to them. Had there been a member of the Committee thirsting for the ruin of a personal enemy, or a political adversary, and who, by this inquisition into the accounts of all who had dealt with the Bank, could have been put in possession of facts, the disclosure of which might have destroyed his peace, his fortune, or his fame, the opportunity afforded him by this course of proceeding, would have been too inviting to have been resisted. That there was such a member upon the Committee, the subscriber does not affirm. The eagerness with which private accounts were sought for, and in an especial manner, those of editors of newspapers, members of Congress, officers of Government, and all indeed possessing political influence themselves, or likely to suffer in public estimation by exposure of their private and pecuniary concerns, showed, it is to be presumed, altogether from patriotic principles, and a stern abhorrence of corruption. The natural and irresistible tendency of all investigations conducted on such principles, must be to substitute passion in the place of justice, and political rancour in the place of impartiality. In all times of party excitement, the members of the Legislative Assembly are placed in attitudes of keen and ardent opposition to each other. We have constant experience of the personal animosities into which all debates on questions of deep public interest are continually running. An individual member of this House, who presents himself in the attitude of an accuser, not only calls for the investment in himself of an extraordinary power, but if he prosecute himself, the accusation claims the exercise of powers which in no general system for the administration of equal justice can ever be united. The spirit of the prosecutor, is not the spirit of the judge. Whoever voluntarily assumes the former capacity, disqualifies himself for the unimpeachable performance of the latter.

During the present session of Congress two instances have occurred of inquiries instituted into the conduct of Executive Officers of this Government—one bearing upon the second Auditor of the Treasury, and the other upon the Commissioner of the General Land Office. In each of those cases the member instituting the inquiry, moved its reference to a committee of which he was not himself a member. There was no law, nor even any rule of the House which imperatively required this; but the members them-

selves felt the delicacy of their situations, and of their own accord divested themselves of that invidious combination of character which unites the prosecutor and the judge. The prosecution of the Bank has been the only exception to this course of proceeding. The Chairman of the Committee commenced his career as a prosecutor, by exhibiting an indictment, so called by himself, of twenty-two charges against *the Bank*. The Bank is a Corporation consisting of a President, Directors, and Company of Stockholders. The bill of indictment, therefore, being ostensibly against *the Bank*, seemed to be divested of personal animosity, and this, perhaps, may have induced the Chairman to lose the consciousness of incongruity in the exercise at once of prosecuting and of judicial powers. These observations are deemed indispensably necessary to elucidate the spirit in which the examination was conducted—partaking throughout of this unusual union of the prosecuting and of the judicial character. Among the charges exhibited by the indictment, not ostensibly against any individual, but against *the Bank*, was one of *subsidizing the press*, by special favours and accommodations to editors of newspapers—another for special favours and accommodations to members of Congress. In all this the Chairman of the Committee appears to have entertained the opinion that because the charges were in form against *the Bank*, they were not at all to be considered as affecting the integrity of the *persons* upon whom they might chance to fall. He frequently disclaimed all intention of putting upon trial the *character* of the President of the Bank, and he appears to have been quite unaware upon *whom* his denunciations might eventually be found to descend. The subscriber believed that there was a great want of precision in the definitions by the Chairman of the Committee in his original motion, of the crimes which he denounced. Take, for example, the charge of *subsidizing the press*. If a violation of law be an essential ingredient in the composition of crime, there was no law which prohibited the Bank from subsidizing the press—nor was there any law which prohibited the President and Directors of the Bank from affording facilities and accommodations to editors of newspapers. On the other hand, there is, perhaps, no class of citizens in the community, who, by the nature of their profession may more frequently need the aid of bank facilities, or to whom they may be more signally useful, and in proportion to the extensiveness of a printing establishment, will, of course, be the amount of the accommodations which they may require. Why then should *the Bank* be laid under an interdict for subsidizing the press? Why should the President and Directors of the Bank be chargeable with gross and palpable corruption, because large accommodations and facilities, in the regular course of banking operations, have been afforded to editors of newspapers? There appears to the subscriber to be included in the principle of this charge, a very dangerous assault upon the freedom of the press. A principle proscriptive in its nature, and the application of which, if once assumed by the authority of the Legislature, could be successful only in reducing the press to servile subserviency to whatever party might command a momentary majority in the two Houses of Con-

gress. The editors of newspapers are not responsible to Congress for the political principles which they may advocate or oppose. Nor can the Legislature take cognizance either of their consistency or of their political purity. They are responsible for their opinions to their subscribers and to the public opinion of their country. To hold them to this responsibility, their rivals, and competitors, and political adversaries, are sufficiently watchful and sufficiently armed. The opinions and interests of majorities in Congress will never lack for presses to sustain themselves. But if in addition to that common interest of the majority and of their favourite presses in the competition for public favour, they are to assume a censorial power to punish or to stigmatize the editors who support the opinions or interests of the minority, in what does this differ from an *imprimatur* in the hands of the governing power—an engine for the suppression of all freedom of the press, as well as for the oppression of every editor, whom it may suit the purposes of the predominant party to discredit or destroy.

Entertaining these opinions, and believing that the principle on which they were founded had been sanctioned by the House itself, in the resolution, as adopted, for the appointment of the Committee, the subscriber did earnestly, though ineffectually, resist and oppose the call by the Committee for the accounts with the Bank of *editors of newspapers*. To all persons of that highly respectable and important profession, their accounts in Bank were, as well as to other members of the community, their private and domestic concerns, which no power to examine the books and proceedings of the Bank could authorize a committee of this House to expose to public gaze. To single out the editors of newspapers for this invidious exposure was, in the opinion of the subscriber, to disfranchise them of their rights as citizens and as men, and was to assail them in their reputation, their interest, and their credit. Not for the purpose of bringing them to trial by jury, where they might defend themselves, their fortunes, and their characters, in presence of their peers, but to hold them up as accomplices in corruption with *the Bank*. To accomplish two objects by one operation—to defame the Bank by colourable charges of corruption, which it would never have an opportunity to repel by a fair trial, according to the laws of the land—and to defame any editor of a newspaper having an account in Bank, whose politics might be obnoxious to a majority of the Committee, instigated by the rivalry and hatred of antagonist editors of other newspapers, in the same city or neighbourhood.

The majority of the Committee did, the subscriber doubts not, with pure intentions, otherwise decide, and the accounts of editors of newspapers with the Bank were called for. In reviewing this decision, and the proceedings of the Committee subsequent upon it, he deems it his duty to declare, that none of his objections to it have, in his judgment, been removed. He views it as a precedent of portentous evil; as an unjustifiable encroachment of arbitrary authority upon the freedom of the press; as an odious persecution of individual citizens, to prostrate the influence of personal or political adversaries by the hand of power.

Of this class of accounts thus produced, those of one newspaper establishment only underwent the investigation of the Committee. Those of James Watson Webb and Mordecai M. Noah, editors of the New York Courier and Enquirer, one of the most distinguished and extensively circulated journals of the Union. Mr. Webb was examined upon oath by the Committee, at his own request. Mr. Noah transmitted to the Committee his own affidavit, made before a magistrate of the city of New York. Mr. Silas E. Burrows, a private citizen, not an editor of a newspaper, but connected with the responsibilities of Messrs. Webb and Noah in the Bank, was subpoenaed to appear before the Committee, but as the subscriber believes, with a just estimate of his own rights, did not give his attendance. No proposal was made in the Committee to issue a compulsory process against him. As editors of a public journal, and in that character as guardians and protectors of the freedom of the press, the subscriber is of opinion that neither Mr. Webb nor Mr. Noah ought to have appeared in person or by affidavit before the Committee. If in their transactions with the Bank they had committed any violation of law, they could not be examined as witnesses to criminate themselves: if they had committed no violation of law, the inquisitorial powers of the Committee did not extend to them. Their transactions with the Bank, unforbidden by the law of the land, were no more within the lawful scrutiny of the Committee, than the dwelling-house, the fire-side, or the bedchamber of any one of them. These, even in the darkness of heathen antiquity, were the altars of the household gods. To touch them with the hand of power is profanation. Assailed, however, in reputation, as they already were, and had been, on account of these transactions, by their political enemies and the enemies of the Bank, from false and exaggerated rumours concerning them, which had crept into public notice, it was certainly not unnatural, and perhaps not improper in them, to state in full candour and sincerity what their transactions with the Bank had been.

From these it appeared that in August, 1831, James Watson Webb obtained at the Bank of the United States a loan of twenty thousand dollars upon his own note endorsed by Mordecai M. Noah. The application for this loan, made in person by Mr. Webb, was sustained by a letter from Mr. Noah, and sundry statements relating to the pecuniary condition and credit of the New York Courier and Enquirer. The letter from Mr. Noah was enclosed to the President of the Bank by Walter Bowne, Mayor of the city of New York, who had been one of the earliest directors of the Bank, with a recommendation of the application itself, to be considered as a *business transaction*. It was so considered by the board of directors, who acceded to the loan desired. But the editors of the Courier and Enquirer had long been, as they still are, ardent and active political partisans, and their newspaper has been and continues deeply immersed in that portion of political affairs immediately connected with elections. The peculiar character sustained by the paper and its editors, at the time when this application for a loan was made, was that of devoted friends to the present admi-

nistration, and particularly to the eminent citizen at its head. This character they and their paper still retain. They have, of course, numerous adversaries of the opposing party, and numerous rivals in their own. Some time before this application for a loan from the Bank of the United States, there had been between them and some of their competitors for party and public favour, a newspaper war with regard to the conduct of their journal, and the opinions of its editors with reference to the Bank of the United States. In all this the interests of rival printing offices, and rival banks, may without breach of charity, be presumed to have been very willing auxiliaries to editorial virtue and the unsullied purity of the public press. The politics of the paper had been, or were thought to have been, successively hostile and friendly to the Bank of the United States. In this state of things, it is stated by Messrs. Webb and Noah, that two or three of the banks in the city of New York denied them the accommodation of loans which they had previously yielded, and refused to discount for them paper of unquestionable credit. They affirm that these city banks, in punishment for their friendliness to the Bank of the United States, withdrew from them facilities previously extended to them, and required the repayment of a large accommodation loan for which they were indebted. To discredit these imputations, re-affirmed by Messrs. Webb and Noah in their testimony upon oath before the Committee, a majority of the Committee deemed themselves authorized to send a commission and request the Presidents of the two city banks in New York to make affidavits before a magistrate, giving notice thereof to Messrs. Webb and Noah, and to transmit those affidavits to the Chairman of the Committee at Washington. The depositions of Isaac Wright, President of the City Bank, and of Albert Gallatin, President of the National Bank, at New York, were accordingly taken and transmitted to the Chairman of the Committee. They did not in the slightest degree impair the testimony of either Mr. Webb or Mr. Noah. On the contrary, they confirmed, so far as they could confirm, that part of their evidence which it had been the purpose, in requiring the affidavits from the two New York banks, to invalidate. They proved that at both of those banks, in July, 1831, notes offered for discount by James Watson Webb, with an endorser of unquestionable credit, were rejected. The *reasons* of those rejections, both the Presidents of the Banks, with great propriety, declined to give. They state that at one of the banks, no note is discounted, if objected to by any one member of the board of directors. At the other bank, any note is rejected to which two of the directors concur in objecting, and that no director is required to assign any reason for his objecting to any discount. In these answers of the two Presidents, the subscriber cannot forbear to remark a demonstration of the impropriety of the call by the Committee upon those gentlemen for their testimony in this case. The object of the call was to impeach the truth of testimony given by the two witnesses, Webb and Noah, upon oath before the Committee—witnesses whose veracity stood as fair before the Committee as that of any

other citizen of the community, and who, in the opinion of the subscriber, could consider the call itself on the Presidents of the New York banks to contradict them, in no other light than that of a gratuitous and wanton insult upon themselves. Of the *fact* that notes offered by Webb had been rejected at the New York banks, no doubt was or could be entertained. The reasons of the rejection were avowedly inferences of Mr. Webb and Mr. Noah, which might even have been incorrectly drawn by them, without impeachment of their veracity. The Committee could not, in the opinion of the subscriber, possess the *right* of calling upon the Presidents of the New York banks for the reasons of their refusing discounts to James Watson Webb, or to any other man. The call itself was a violation of individual right, and the refusal to answer it, though in terms entirely respectful and dispassionate, carries with itself a censure upon usurped authority, not undeserved.

To this call upon the Presidents of the New York banks, the subscriber had another objection. The Chairman of the Committee had, by an act of Congress, authority to administer oaths to witnesses, and the Committee had received from the House authority to send for persons and papers. But the subscriber did not consider the Committee as possessing the power of delegating to other men authority to take depositions from persons, whom the Committee were authorized to call before themselves, and to hear in person. No member even of the Committee, other than the Chairman, was authorized to administer an oath. To administer oaths to witnesses was in the competency of the Chairman specially authorized by statute. To send for the persons and papers existing, was in the competency of the Committee, authorized by the House. But to direct to be taken, and to receive as testimony, depositions of persons whom the Committee might have summoned to appear and testify before themselves, was, as the subscriber believed, to transcend their lawful authority, and to set a precedent which would lead to most pernicious abuses. This encroachment of power could not be justified by the request of the Chairman of the Committee to the deponents, that James Watson Webb and Mordecai M. Noah, the persons whose testimony it was supposed these depositions would discredit, should have notice of the time and place, when and where they should be taken. To give notice of a deposition to be taken to impeach the testimony of another, is the duty of a party to a cause, and not of the deponent himself. The witness whose testimony is to be discredited cannot be bound to receive a notification from the witness called to discredit him. The volunteering of a committee to send forth mandates in search of contradictory evidence, to fasten imputations of perjury upon witnesses of veracity, before them unimpeached, has, in the view of the subscriber, an aspect too unjust and odious in itself, to be legitimated by any notice given to the witnesses thus outraged in their feelings and their rights. The whole procedure was in the opinion of the subscriber, unlawful and unjust. He recorded against it his vote upon the journal of the Committee; and he deems it his duty to repeat his protestation against it in this Report.

But whatever may have been the true state of the relations between Messrs. Webb and Noah, and the local banks of New York, it was with these statements and allegations that Mr. Webb, in August, 1831, applied to the President and Board of Directors of the Bank of the United States, for an accommodation loan of twenty thousand dollars. The President and Directors considered it as it had been viewed in the recommendation of the Mayor of New York—as a *business transaction*. Yet, it did not escape their attention that a political colouring might, and probably would, be given to it by the inveterate enemies of the Bank. They were aware that if the loan was granted, it would be liable to the charge of a favour dispensed, to purchase the aid and support of the newspaper, in behalf of the Bank; and if it should be denied, it would be charged as proof of hostility to the administration of the General Government and its Chief. Sure that they could in no event escape the censure of enemies predisposed to blame, they granted the loan, to which, afterwards, in December, an addition of fifteen thousand dollars was made. Notes of Mr. Webb, endorsed by Mr. Noah, and payable to Silas E. Burrows, had been previously discounted for Mr. Burrows, but without the knowledge of Webb or Noah, as they testify, to the amount of seventeen thousand dollars. Of these sums so much has been paid, that there now remains due from Messrs. Webb and Noah, to the Bank, a sum of about eighteen thousand dollars, payable in semi-annual instalments, and from the statements laid before the Committee, believed by the subscriber to be as safe as any other debt upon the books of the Bank.

The transactions of James Watson Webb and of Mordecai M. Noah, with the Bank of the United States, formed, in the opinion of the subscriber, no proper subject of examination by the Committee, or of investigation to the House, further than to ascertain, whether, in those transactions, there had been any violation of the law of the land. Within the pale of the law, if this be a Government of laws and not of men, Webb and Noah were not amenable for their conduct, or their opinions, to the House of Representatives of the United States, or to any Committee by them appointed.

In behalf of the United States, as large stockholders in the Bank, a general superintendence over the proceedings of the President and Directors of the Bank, is, no doubt, vested in the Congress. But the subscriber does not believe that the President, or any Directors of the Bank, is, or can be accountable, to a committee of either House of Congress, or to the House itself, for the motives or reasons upon which he acceded or objected to any one discount. The practice of all well regulated banks is, and must be, that declared by the testimony of the Presidents of the two banks in New York to be theirs. The *reasons* or *motives* for accepting or rejecting a note offered for discount, are not subjects of inquiry at the board itself. The reasons of each director are in his own breast. His own colleagues at the board have no right to inquire into them. They are in his own discretion.

It is indeed within the bounds of possibility that this discretion should be abused to the injury and damage of the stockholders.

But in the transactions of the Bank with Webb and Noah, no loss or damage has occurred to the stockholders, nor is any to be apprehended. In the original charges presented to the House by the Chairman of the Committee, there was one of *subsidizing the press*; and these accommodations to Messrs. Webb and Noah were understood to be among the most prominent exemplifications of that nameless crime which an investigation of the affairs of the Bank would disclose to the world. It would happily be a fruitless search to find in the criminal code of this Union, or of any one of its constituent States, such a crime as *subsidizing the press*. When the charge was first brought forward by the Chairman of the Committee, in the House, it was impossible to ascertain of what overt or covert acts this offence, thus novel and undefined, consisted; nor, except in the proceedings of a majority of the Committee can the subscriber yet comprehend what are the elements of this new and still undefined offence. The majority of the Committee, immediately after entering upon the discharge of their duties at Philadelphia, commenced a search into all the accounts with the Bank of *editors of newspapers*. In the returns to this demand it was found that Webb and Noah, far from being solitary culprits in this unheard of transgression, were in the very respectable company of the editors of the National Intelligencer, of the National Gazette, of the United States Telegraph, of the Globe, and of the Richmond Enquirer. This information was scarcely in the possession of the Committee before it found its way into the public journals, and thus all the editors of those well known prints stand, by an exhibition of their private accounts, charged before the public as conductors of presses *subsidized by the Bank*. The Committee did in no other instance than that of the New York Courier and Enquirer, go into an investigation of the reasons or motives for which the discounts or the loans had been granted. Political motives were unequivocally and explicitly disclaimed by the President and Directors, who assented to the loans; and while in this, as in all other banks, the practice is uniform of never assigning the reasons either for discounts or rejection, they are not and cannot be made subjects of testimony. Every member of the board has his own reasons, which may not be known to any other member. One member, therefore, is not responsible for the reasons of any other member, nor is the board responsible for the reasons of any one of its members. Motives can then be made a subject of scrutiny only upon suspicions—political suspicions, sharpened by the collisions of personal pecuniary interests.

The subscriber believes all inquiry into the motives of Bank facilities or accommodations to be not only pregnant with injustice to individuals, but utterly beneath the dignity of the Legislature. Their rights of inquiry are commensurate with the law. For actions within the bounds of law, to scrutinize motives, is tantamount to an inquisition of religious opinions—a species of moral and intellectual torture, fitted more to the age of Tiberius Cæsar at Rome, than to the liberal spirit of the present time. The discount of notes at a bank, whether to a large or a small amount, can in no case be considered as donations or gratuities. They are

contracts of mutual equivalents for the benefit of both parties, in which the bank is no more the benefactor of the customer than the customer of the bank.

As the period of time is approximating at which the present charter of the Bank of the United States is to expire, the question, with regard to the renewal of its charter, has become an object of great and increasing public interest. The duties of the President and Directors of the Bank to protect and promote the interests of the stockholders naturally make it an object of intense and earnest desire to *them*. Independent of all personal and individual interests of their own, these obligations to the company require of them to use all fair and lawful means to obtain a renewal of the charter. Were it even true that under these circumstances they should indulge a disposition to the utmost bounds of liberality consistent with justice and discretion to one or more eminent editors of public journals, but extending only to discounts of their papers at the regular remunerating interest at the rate of six per cent. interest by the year, is this to be construed into corruption or converted into a bribe? In every State in the Union there is a large capital of its citizens invested in stocks of multiplied State banks. Most of these are rivals in business with the Bank of the United States, and they have all boards of directors, and most of them are collegued with newspapers, all eager for the destruction of the Bank of the United States. An institution doubly obnoxious to the system of safety fund banks in the State of New York; inasmuch as their discounts, at the rate of six per cent. a year, curtail one per cent. of the dividends which otherwise, by the laws of New York they would be enabled to levy upon the community. It is, therefore, not surprising, that in the City, and even in the State of New York, that animosity against the Bank of the United States of almost all the local banks should have been so great as even to spread its influence into the Legislature of the State. The same operation is active under feebler excitements in many other States. These are not bribes. But the concert of opposition from State banks in almost every quarter of the Union organized with harmonious energy, in concert with public journals perhaps as numerous, and constantly operating upon the public mind unfavourably by means of the press, made it indispensably necessary for those to whom the welfare of the Corporation was entrusted, to defend themselves occasionally, and from time to time, in the same manner.

If, while hundreds and thousands of the conductors of State banks, impelled by private and personal interests, are filling the popular public journals under *their* influence by means of discounts and facilities granted or withdrawn, with every charge that suspicion can conceive, or imagination can invent, to invoke popular resentment and indignation against the Bank of the United States, to prevent the renewal of their charter, the President and Directors of the Bank of the United States are forbidden all use of the public press, for the defence and vindication of their own institution, they stand indeed in fearful inequality of condition with their adversaries before the tribunal of public opinion. The

local banks of New York, for example, grant, with lavish hand, bank accommodations and facilities to the editor of a daily newspaper, who fills his columns with all the common places of vituperation against the Bank of the United States. They deny all facility and accommodation to another editor, who admits into his papers essays or communications favourable to that Bank. Does the editorial votary of State banks, and seven per cent. interest, slacken in his fervour? his discounts at the State banks are curtailed. Does he falter in his zeal? a pressure for money comes upon the State banks, and his notes are called in. Does he dare to admit into his paper a communication favourable to the mammoth bank? he loses all credit with his old bankers. Does he presume to hint, in an editorial article, that, after all, a bank bound to discount at the rate of six per cent. interest may be of some advantage to borrowers in a community where the established legal rate of interest is seven? he becomes at once, in the estimation of the local bank directors, insolvent, and blasted in credit; and, if he offers for discount a note of a hundred dollars, with the best endorser in the city, it is rejected by the silent vote of one or two directors, *because* the editor's newspaper did formerly oppose, and now ceases to oppose, the re-chartering of the Bank of the United States. And then if the editor, cramped and crippled in his business by the screw thus put upon his press, to save himself and his establishment from ruin, applies to the President and Directors of the Bank of the United States for an accommodation loan? No—they too must regard him as insolvent, and blasted in credit—they too must withhold all banking accommodation and facility from him, though recommended by the Chief Magistrate of the city of New York himself, or they will be guilty of the atrocious offence of *subsidizing the press*.

This statement of facts is here *hypothetically* put—it is not intended to charge the presidents and directors of the New York city banks with any such motives for granting or for withholding their discounts. The subscriber not only approves, but was gratified, at their refusal to assign their reasons for declining to discount the notes offered by Mr. Webb. Had the question been asked them *why* they *had* discounted the notes of the same person before, their answer must have been the same. The acceptance of an offered note is by unanimous and tacit assent, without assignment of reasons, and for which the reasons of one director are not necessarily the reasons of another. They are not proper subjects of inquiry, so long as the discount is in violation of no law. And this principle is equally applicable to the President and Directors of the Bank of the United States. They are amenable to authority only for conformity to the law. To the stockholders they are further accountable for the prudent and discreet employment of their funds. But, while the result of that management has been, for a series of years, to yield to the stockholders half-yearly dividends of three and a half per cent. upon their investments, while the stock of the Bank is at twenty-five per cent. advance upon its original cost in the market; and whilst the heaviest of all the complaints against the Bank is the extensive-

ness and universality of its credit, the subscriber believes that the stockholders, and the most vigilant guardians of their interest, may wait until an actual loss shall have happened upon any one loan or discount, before they shall be justified in imputing either thrifless improvidence or sordid corruption to the President and Directors of the Bank for having granted it.

The Constitution of the United States denies to Congress itself the power of passing any bill of attainder, *ex post facto* law, or law abridging the freedom of the press. But here is a new fangled offence created *ex post facto*, under the denomination of subsidizing the press to operate as a bill of attainder upon the Bank, and as a disfranchisement to every editor of a public journal who may happen to be obnoxious to a political party in power. The fact constituting this most extraordinary crime, is the mere existence of a loan, or discount of the proscribed editor at the Bank: a transaction entirely warranted by law, but in the consummation of which a Committee of one branch of the Legislature first assumes the right of scrutinizing, and then of passing sentence of condemnation upon the motives of both parties to the contract. As there is no law constituting the offence, the degree of its malignity has no rule of proportion but that of the temper by which it is prosecuted—it will be aggravated by every stimulant of private pique, of clashing interest, of political prejudice, or of morbid suspicion, which can be enlisted in the prosecution. A Committee man, being a large stockholder in a State bank, to be deeply benefitted by the extinguishment of the Bank of the United States; another, linked in connexion with a newspaper establishment in competition with the editor to be attainted; a profound political economist, wedded to a system of coin, currency, and credit, propitious to one banking interest, and unfavourable to another; a mere partizan, hanging upon the skirts of a political candidate, and following the camp to share in the spoils of the victory, might all club their inventive faculties to swell this imaginary trespass into a felony—and seldom would there lack as an ingredient in the composition, the corrosive sublimate of a malicious temper, with instinctive hatred of all honour and integrity, prone always to infer actual fraud and villany from the mere possibility of its existence, and even to insinuate corruption, without daring openly to affirm it. These are consequences which must and would follow from the sanction by Congress, or either of its Houses, of the principle that the accounts of editors of newspapers, as a separate class of men, with the Bank, are to be scrutinized by a committee of Congress as tests of the political opinions or doctrines of their editorial columns—or indications of the candidate for the Presidency to whose banners they adhere—or to defeat the re-chartering of the Bank by deducing from the same naked fact of existing loans, large or small, the dishonourable conclusion, that the *motives* of the President and Directors of the Bank, for granting these loans, were to purchase the support of the borrowers, by bribery and corruption.

But let it, for argument sake, be admitted, that the accommodation of a loan to the editor of a public newspaper, by the Pre-

sident and Directors of the Bank of the United States is, on their part, an act of corruption of which the Congress of the United States, without doing injustice, and without derogation from the dignity of their duties, can take cognizance; the subscriber believes that it cannot justly have any bearing whatever upon the question whether the Bank of the United States shall or shall not be rechartered.

Admit that, in a country where the freedom of the press is among the first elements of the liberty of the people, a Committee of one House of Congress has a right to constitute, *ex post facto*, a crime under the name of subsidizing the press, of that, which, in the eye of the law of the land, is, and always has been, *innocent*—admit that they have power to search into the hearts of the President and Directors of the Bank, for dishonest motives to lawful actions—admit that they have a right to interrogate them for reasons which no director of any bank is ever bound to give—admit, that after the president and directors have submitted to these insulting interrogatories, and assigned the reasons by which they were actuated, the Committee should still feel themselves justified in groping, day after day, for circumstantial evidence to falsify the frank and explicit declarations of men without a slur upon their fame—that piles of folio volumes, of Bank accounts, should be rummaged over, nights and days, for a variety in the colour of ink, in entries made by different clerks, with different ink-stands, for errors in the spelling of a name, for interlineations and erasures in a waste-book or a tickler, and all to substitute trifles light as air, of *suspicion*, in the place of fact, and to *impute* fraud, forgery, and perjury, where they cannot be proved—admit that the unsullied characters of men long known among their fellow citizens, for lives without fear and without reproach, may thus be breathed and whispered into disgrace—what has all this to do with the question whether the Bank of the United States shall receive a new charter or not? If the President and any number of the Directors have been guilty of *malversation* in their offices, the remedy for their offence is *removal* from office. They may be further responsible to the stockholders in their persons and property. The directors, appointed by the President and Senate, are, at all times, removeable by the President of the United States alone. The President of the Bank, is, every year, liable to removal, both as president, and as director, by failure of re-election as a director, by the stockholders, or as president by the directors. No other director can be re-elected more than three successive years in four. If the board of directors have been guilty of neglect or violation of their duties, the punishment of their delinquency is, to appoint another set of directors in their place; not to punish the innocent and injured stockholders by refusal to renew the charter. By the rotation prescribed in the charter itself, not one of the present board of directors can remain in office at the time of the expiration of the charter, nor can the present president of the board ever be president of the Bank under the renewed charter, but by the suffrages of the stockholders, according to their respective privileges of voting. If, therefore, any misconduct had

been discoverable in the official conduct of the President of the Bank, the proper punishment for it would have been his removal from office; and the same may be said of any other of the directors. But for *their* faults, to punish the stockholders who had no communion or privity with them—for *their* errors, to deprive the great mass of the community of the benefits and advantages secured to them, and enjoyed by them, through the instrumentality of this great institution over this whole Union, would proceed from a theory of crimes and punishments unrivalled by the political inquisition of Venice, or the religious inquisition of Spain. A theory by which the crime would be committed by one set of persons, and the punishment inflicted upon another—a theory by which the stockholders would be mulcted in their property, because the directors had been faithless to their trust, and the people bereft of public blessings because their confidence in the integrity of their agents had been betrayed.

At the close of the long commentary of the majority Report, upon the transactions between the editors of the New York Courier and Enquirer, it is observed, that among the documents exhibited to the Committee, and reported to the House, are four other cases of loans at long credit, made by the Bank. The report neither mentions the *names* of the individuals, parties to these contracts, nor the correspondence and testimony relating to them, which were laid before the Committee. The subscriber, approving the discretion of the majority in this particular, will not deviate from the example set in the Report. He will barely take occasion from it to remark, that the names of those individuals, and of their accounts and transactions with the Bank cannot be brought before the public by the Committee without gross injustice. Those transactions, he is bound to believe, were perfectly justifiable in all the parties to the contract; but he was under a full conviction that neither he nor the Committee had the right to inquire into them, whether for justification or for censure. The objection of the subscriber is to all inquisition into motives, for actions unforbidden by law. But in each of these four cases—in those of the accounts of every editor of a newspaper, of every member of Congress, and of every person connected with the Executive Government—if the fact of the individual account is exhibited to the public, it is, upon the plainest principle of justice, the right of the individual to have alike exhibited to the public, all the circumstances connected with the transactions which he may deem essential to his justification. But what is that justification? Is it justification limited by the boundaries of the law? No: that is not sufficient. The account in Bank must be coupled with the conduct and opinions of the individual, to point the finger at him and at the Bank as for dishonourable conduct and corrupt purposes. So it was in the case of James Watson Webb and of Mordeica M. Noah. Why was it not so in other cases? Why are the names of other printers, and the amount and the aspect of their debts to the Bank, as principals or as endorsers withheld? Why are other editors, having large accommodations in the Bank, the names of their endorsers, the cha-

racter of their settlements, the present state of their engagements, and a contemporaneous exposition of their editorial friendship or hostility to the Bank, not set forth in all the developments of the Bank debts and editorial speculations of James Watson Webb and Mordecai M. Noah? Why are not the day of an editorial discount and the day of an editorial puff of panegyric, or blast of abuse upon the Bank brought in juxta-position to each other, so that *suspicion* may yoke them together in the relation of cause and effect in any other case than theirs? The subscriber believed that there were other accounts of editors and printers with the Bank, exhibited to the Committee, which, compared with editorial lucubrations in the newspapers of the same editors, at the same times with the discounts, or at the present day, would suggest reflections quite as edifying to the spirit of reform, as the debts and dissertations of James Watson Webb and Mordecai M. Noah. The majority Report has buried them in oblivion. There let them remain. The subscriber will not disturb their repose. But he asks of the candour of the community and of the self-respect of the House, representing the feelings of the people, that no more legislative investigations may be instituted at the expense of the nation, under colour of an examination into the books and proceedings of the Bank of the United States; into the political purity and undeviating consistency of the conductors of the public press.

It is with great satisfaction that the subscriber declares his entire and undoubting conviction, as the result of all the examination which, under the resolution of the House, and the unbounded range of inquiry, sanctioned by the majority of the Committee, he was able to give the books and proceedings of the Bank, that no misconduct whatever is imputable to the President, or to any of the present Directors of the Bank. That, in the management of the affairs of this immense institution, now for a series of nearly ten years, occasional errors of judgment, and possibly of inadvertence have been committed, is doubtless true—in the vast multitude of relations of the Bank with the property of the whole community, the board of directors of the parent Bank, or of some of its branches, have sometimes mistaken the law, and sometimes have suffered by misplaced confidence. A spirit of predetermined hostility, uncontrolled by a liberal sense of justice, prying for flaws, and hunting for exceptions, may gratify itself, and swell with exultation at its own sagacity, in discovering an error or arguing a misconstruction of powers. In the conduct of the present President and Directors of the Bank of the United States, no intentional wrong and no important or voluntary error has been committed. He deems this declaration due from him to those worthy and respectable citizens, in the face of this House, and of this nation, willing as he is to abide upon it the deliberate judgment of after times. He deems it the more imperiously required of him as a signal vindication of the honour and integrity of injured and persecuted men. It has been impossible for him to observe, without deep concern, the spirit and temper with which this investigation has been prosecuted, particularly with regard to the President of the Bank. As one example of which, he would

call the attention of the House to the testimony of Reuben M. Whitney—to the manner in which it was produced, and to the catastrophe in which it terminated.

On the 2d of April, the Chairman of the Committee asked of them, authority to issue a subpœna to summon the attendance before them of Thomas Wilson, heretofore, in the year 1824, a cashier of the Bank, to testify as a witness. The subscriber inquired what it was expected Mr. Wilson would prove, which question the Chairman declined to answer. The subscriber objected therefore to the issuing of the subpœna, and the motion for it was for that day withdrawn.

The next day it was renewed, with a statement in writing by the Chairman of several allegations, as the subscriber conceived, amounting to charges against the President of the Bank, of embezzlement of the moneys of the institution. The subscriber inquired from whom these charges had been received, which the Chairman declined to state. The subscriber moved that a copy of the charges should be furnished to the President of the Bank. But the paper was withdrawn by the Chairman and a resolution was substituted in its place, which was entered upon the Journal of the Committee. The objection of the subscriber to this course of proceeding was, at his request, entered upon the Journal, and at the request of the Chairman an entry was also made of the grounds upon which he deemed his own course in this respect justifiable. The objection of the subscriber was, not that the Chairman had thought proper to listen privately to secret informers, but that he required the action of the Committee for a call of testimony deeply affecting the moral character of the President of the Bank, and yet withheld from the Committee the name of his informant. The subpœna to Mr. Thomas Wilson was, nevertheless, issued. The charges against the President of the Bank were, that Thomas Biddle, a distant relative of his, and one of the most eminent brokers of Philadelphia, had *been in the habit*, by permission of the President, of taking money out of the first teller's drawer, leaving in its place certificates of stock; of keeping the money an indefinite number of days, and then replacing the money, and taking back his certificate of stock, *without payment of interest* upon the moneys of which he had had the use. The quintessence of the charge was, the use by Mr. Thomas Biddle of the moneys of the Bank without interest. And there was another charge, that the President had also been in the habit of making large discounts upon notes of Thomas Biddle without consulting the directors, between the discount days, and that the notes were entered as of the previous discount day.

Mr. Wilson's testimony completely disproved, so far as his knowledge went, both these charges. He had never known a single instance in which Mr. Thomas Biddle, or any other person, had ever been permitted by the President of the Bank to use the moneys of the Bank, without payment of interest. He had never known a discount of a note of Thomas Biddle by order of the President of the Bank, without consulting the board of directors or the committee duly authorized to discount. Mr. Wilson had

been removed in a manner as inoffensive to his feelings as possible, from his office of cashier of the parent Bank in 1824, by being first transferred to the branch at New Orleans, from which he was also afterwards removed. Previous to his removal from the Bank at Philadelphia, the personal intercourse between the President of the Bank and him had not been altogether harmonious. He had hinted to Mr. Reuben M. Whitney, a director then secretly unfriendly to the President, and to Mr. Paul Beck, a director particularly friendly to himself, that he thought the President had too much influence over the board of directors, and had spoken with disapprobation of the fact that Mr. Thomas Biddle had occasionally received discounts upon transferred stocks, with checks, which, at the end of an indefinite number of days, were taken up and the cash returned, with regular payment of interest, as upon discounted notes. The checks being entered in the books under the head of bills receivable. Several cases of this kind had occurred in the months of May and June, 1824. Mr. Wilson's testimony was very clear and explicit to the integrity of the President of the Bank, and it was totally contradictory to the statements which the Chairman had framed into charges from the private information which he had received, and the name of the informer of which he had declined giving to the Committee. But Mr. Wilson had named Mr. Paul Beck and Mr. Reuben M. Whitney, two of the directors of the Bank in 1824, and to whom he had incidentally communicated his slight discontents at the period immediately before his removal.

Mr. Beck and Mr. Whitney were summoned to appear and testify. The character and respectability of Mr. Beck are so universally known at Philadelphia, that all remark upon them would be superfluous. He had been a director of the Bank in the years 1824, '25, and '26, and again in the years 1828, '29, and '30, and of course, not only at the time alluded to by Mr. Wilson, but for five of the years which have elapsed since then, and till within less than two years past. Mr. Beck remembered the communications made to him by Mr. Wilson, shortly before his removal, and had thought them to proceed from irritation.

He had seen no cause to doubt the correctness of the official conduct of the President, and has retained his perfect confidence in it unimpaired to the present day.

The testimony of Mr. Whitney was of a different character. This person had been a director of the Bank in the years 1822-23 and 24, and a very active member of the board. He was a native American, but from the year 1808 to 1816, had been a resident in Montreal, in Canada—during the war, by permission of the British Government, on his taking an oath to obey the laws of the country, which he did not consider as an oath of allegiance—but he had not asked or received permission to remain in Canada from his own Government. About a year after the expiration of his service as a director of the Bank, he failed in business. Of his present standing in the community, no evidence was taken by the Committee.

The story that Mr. Whitney told on his first examination was,

that some time in 1824, Mr. Wilson and Mr. Andrews, then cashiers of the Bank, had mentioned to him certain transactions in the Bank, in which T. and J. G. Biddle were concerned, which they were not willing should exist without some member of the board being informed of them. Upon his inquiring what they were, they replied that T. & J. G. Biddle had been in the habit of coming to the Bank and getting money, and leaving certificates of stock, which represented it, in the first teller's drawer, *without paying interest*, and without being entered on the books. That they had also stated that the Messrs. Biddles had had notes discounted for them by the President, which were entered on the books of the preceding discount day; that upon Mr. Whitney's asking them what sums there were of the kind in existence at that time, they went with him to the first teller's drawer, and found one sum of 45,000 dollars, dated 25th May, and one for 24,000, dated 26th May; that they then went to the discount clerk's desk, and found one note at 15 days dated 13th May, for 20,000 dollars, of T. Biddle's, and one note of Charles Biddle's, dated 21st May, at sixteen days, for \$38,319; that the two former sums represented cash, and the two latter were notes which the two cashiers stated to him had been discounted by order of the President. Of all this, Mr. Whitney declared, a memorandum at the time had been taken by him. Such a memorandum he produced, and left with the Committee on a small slip of paper, worn out and torn, and it is among the papers reported by the Committee; and as it formed the main stay of Mr. Whitney's first testimony, a copy of the whole of it is here subjoined:

"May 25, 45,000.

" 26, 24,000.

May 13, 15 days \$20,000 collateral.

" 21, C. Biddle, 38,319, 16 days 5—8 June."

Of the two first notes, Mr. Whitney declared, in answer to a leading question from the Chairman, that no entry had been made upon the books; that he took his note of them from a memorandum in the teller's drawer, and that on *making the discovery*, he *directed* the officers of the Bank, one or both the cashiers, to enter this money upon the books; that it was done—that he did not see it done, but subsequently saw on the books the entry of "bills receivable," which he knew was the entry made by his order.

He further stated, that, immediately after making this discovery, and giving this order, he had gone into the President's room, where he found him alone; that he told him what he had discovered and done, and requested that no such transaction should be repeated while he was a director of the institution. That the President did not deny the facts as he had stated them—that he coloured up very much and promised that no such thing should happen again.

This testimony appeared to be in all respects so extraordinary, and so deeply to affect the moral character of the President of the Bank, in which the subscriber had been long accustomed to repose the most unbounded confidence, that he deemed it proper to

trace its introduction, so far as possible, to its origin. As the question of the Chairman of the Committee which drew forth this testimony, indicated that he had previously been made acquainted with it in detail, and as he had, on first stating his expectation to prove these charges, declined naming the witness by whom he expected to prove them, the subscriber resorted, by interrogation of the witness, to ascertain that which the Chairman had declined communicating to the Committee. He inquired of Mr. Whitney whether he had had previous communication on the subject with any member of the Committee? What had been his motive for giving the testimony? Whether it had been voluntary or solicited? To these questions he answered that he had made previous communications to the Chairman at his apartment, in the presence of another member of the Committee; that he had no particular, but general motives for giving the testimony; that he did not recollect whether it had been voluntary or asked of him; but upon being pressed by a further question, he answered that Judge Clayton had been recommended to him by a letter from Mr. Benton. This disclosure was then confirmed by the Chairman.

The subscriber requested that his objections to the admission of this evidence, while anonymous, should be entered on the journals of the Committee, and an explanatory entry was also made, at the request of the Chairman.

Mr. Whitney appealed with great confidence to his memorandum, and to the books of the Bank corresponding with it, to confirm his story; but there was nothing in the memorandum to show that it had not been taken from the books of the Bank. There was internal evidence in the memorandum that it could not have been taken before the 26th of May; and there was evidence on the books of the Bank that it was probably taken from them on the 27th of May—that was the only day on which one of the books of the Bank corresponded with the memorandum of Mr. Whitney.

But Mr. Whitney testified that no entries had been made of the certificates of stock in the teller's drawer, of the two sums of 45,000 and 24,000 dollars, minuted on his memorandum, on the books, until after he had ordered the entries to be made; while the books of the Bank proved that entries of both those sums had been regularly made on those respective days, the 25th and 26th of May; Mr. Whitney's own testimony showed that he had *seen* the books after the entries were made, and there was nothing except his own declaration, to show that he had not taken his memorandum from them.

Mr. Andrews and Mr. Wilson, the two Cashiers from whom Mr. Whitney alleged that he had received the first information of this embezzlement of the moneys of the Bank, denied, in the most explicit and unqualified terms that any such transaction had ever taken place—denied not only that they had ever given to Mr. Whitney such information as he had affirmed to have received from them, but the existence, at any time, of any facts which would have justified them in giving such information.

Mr. Burtis, the first teller, and Mr. Patterson, the discount clerk, at whose drawers Mr. Whitney's narrative represented

him as having made his discoveries, and given his orders for making the entries, with equally earnest asseveration, denied that any such transaction had ever taken place, so far as they were concerned.

The President of the Bank, confronted with Whitney, declared, upon oath, that there was not one word of truth in his statement of his interview with him. And Mr. Whitney was left with his ragged memorandum, and his oath, falsified by the concurring oaths of the five individuals who, with certainty of knowledge, could contradict him.

Nor was this all. Mr. Whitney's statement was confined, by the purport of his memorandum, and the context of the books of the Bank, to a date of time of no wider range than the 26th or 27th of May, 1824. The President of the Bank, on a subsequent day, proved, by the correspondence of the Bank, that from the 22d to the last day of that month, he was not at Philadelphia, but on a visit to the City of Washington, on the business of the Bank. For these discrepancies from the testimony of Mr. Whitney, as upon his examination he termed them, he did not attempt to account. He withdrew, however, the statement that he had *ordered* the entries of the two sums of 45,000 and 24,000 dollars to be made upon the books, and placed the affirmance in an alternative position to meet the evidence as it appeared in fact upon the books. He now said he had ordered the entries to be made, or had found them already made, and confirmed them. But he never attempted to show to the Committee whence or how he, as a single director, had derived the authority of *ordering* the keepers of the respective books to make any entry upon the books whatever; an authority which all the keepers of the books denied to belong to a director.

The question was put to Mr. Whitney, whether, upon his making his discoveries, he had considered himself as having fully discharged his own duty, as a director, by a mere private exposition with the President, without making known the transaction to the board of directors at all: to which he answered that he had not considered the subject in that point of view.

Mr. Whitney, to sustain his character, produced evidence that he *had* been very extensively engaged in business; had paid large sums for duties on imported articles to the Government of the United States; that, while a director of the Bank, he had been a very active and industrious member of the board, and that he had been employed by the board in confidential trusts, which he had faithfully executed. As a last resort to sustain his charge of embezzlement against the President of the Bank, although he admitted he had never mentioned it to the board of directors, he insisted that he had, soon after it happened, spoken freely of it to others, and particularly to Mr. Wilson Hunt, who, he requested, might be called, and who accordingly was called, as a witness, before the Committee.

Had there remained a fragment of doubt upon the mind of the subscriber with regard to the character of the testimony of Mr. Whitney before the examination of Mr. Hunt, it would have va

nished upon hearing what he testified. It was, that Mr. Whitney, some years since, at the time when he was a director of the Bank, had confidentially shown him a memorandum of some loans on stocks, which *he said* had been made to Mr. Thomas Biddle, by the President without the knowledge of the directors. Mr. Hunt thought that Mr. Whitney had further averred that these loans had not been entered on the books of the Bank, but he did not recollect that he had told him that *he* had ordered them to be entered on the books, and he was very sure he never had told him that the loans were without payment of interest. Mr. Hunt had been impressed with the idea, derived from Mr. Whitney's communications to him, that he was not friendly to the President of the Bank; and he said he had thought *them* serious enough. But Mr. Hunt manifested astonishment at the very question, whether Whitney had told him that the loans were made *without payment of interest*. He not only denied that fact, but with a very natural asseveration, that if it had been so stated to him it was impossible he should have forgotten it.

The subscriber, in charity to the infirmities of human nature, would willingly believe that the testimony of Mr. Whitney, upon his first examination, was the result of self-delusions, produced by long cherished and pampered suspicions of trivial error, till imagination, supplying the place of memory, had swoln them into imputations of embezzlement and fraud. Mr. Whitney had been *stimulated* to bear testimony against the Bank from abroad. The more aggravated the charges which he could bring to bear on public opinion against the President of the Bank, the fairer would be the prospect of success in defeating the renewal of the charter, and the more acceptable to the spirit of party would be the service he might render by the testimony he should give. The defaced and tattered memorandum, taken in years long past from the books, would give a sort of mysterious pre-emption right of credibility to any colourable detail of circumstantial narrative to be connected with it. The instinct of calumny is inventive of details, precisely because details make their way most easily to the credit of the hearer, and it has long been remarked by keen observers of human action, that he who accustoms himself to make a truant of his memory is often times the first to credit his own lie. Whether it was so with Mr. Whitney, the subscriber cannot undertake to say with certainty; but certain it is, that an affirmation most material, and most confidently made, in the first examination of Mr. Whitney, that the notes which he had discovered in the teller's drawer had not been entered on the books, when he discovered them, and that they were so entered by his direction, was retracted by himself after it had been blasted by the production of the entries upon the face of the books themselves. Yet the retraction itself was not frank and candid. It was by assuming an alternative, which, while it abandoned all pretence of sustaining the fact, was yet unwilling to abandon the offensive imputation. When the impossibility of his pretended interview with the President, of rebuke on the part of Whitney, and of tacit confession and blushing promise of future amendment on the part of Mr. Biddle, was

demonstrated by the President's absence from Philadelphia at the time, Mr. Whitney was not prepared with any substituted invention of details to supply its place. He admitted that there was a discrepancy between this demonstration and his previous asseverance, but he neither attempted to reconcile them, nor to fortify his own statement by explanation or commutation of its terms. His dishonoured memorandum found no endorsement for the honour of the drawer.

Other charges of partiality by the President of the Bank, in behalf of his distant relatives, Thos. Biddle & Co. had also been scattered abroad upon no better foundation than the fact that T. Biddle & Co. are, and have for years, been among the brokers of the first eminence and most extensive business at Philadelphia, or in the Union. That their transactions of business have been, and are every year, to the amount of many millions. That their deposits in Bank have been to similar amount, and that they have occasionally been responsible to the Bank for more than a million of dollars at once. Brokers of this description are, to all essential purposes, bankers themselves, as a bank, in the plenitude of its power and operations, is but a broker upon a large scale. Among the transactions of Messrs. Thomas Biddle & Co. with the Bank, there was a deposit made by them to a considerable amount, upon which, by agreement, an allowance was once for a short time made to them for interest. It appeared upon explanation, that the money thus deposited was in the possession of Thomas Biddle & Co. as agents of a certain foreign government, and that the pressure on the money market was very great. That the use of the money for the time during which the interest was allowed, would have been of more value to them than that interest, and the Bank having urgent occasion for the use of the money, the interest upon it for a few weeks was allowed, as a consideration for its being left in Bank for employment there, instead of being withdrawn for the use of the depositors. It was substantially a loan for a time, the principal profit of which was on the side of the Bank, and in which the allowance of interest was not equivalent to the profit which Thomas Biddle & Co. would have realized from the same money by withdrawing it. As in the cases of moneys paid out to them from the teller's drawer, upon equivalent deposits of stocks, transferred, it was done for transactions in which the Biddles were purchasing bills for the Bank, acting, not for themselves, but as agents for the Bank. In such cases, the cash was wanted to pay for the bills purchased. The brokers not having the cash on hand, received it from the Bank itself, leaving United States' stocks of equal value in its place, for a few days, until the brokers, agents for the Bank, restored the cash, took back their certificates of stock, and paid interest for the cash they had received, for every day during which it had been withdrawn.

This complicated character of the pecuniary operations between the house of Thomas Biddle & Co. as brokers, and the Bank, must also be remembered in considering the very large amount of their notes discounted at the Bank. They might appear on the books

of the Bank indebted to it for the amount of a million, when their real debt might not amount to a thousand dollars—the money for which they appeared indebted being only the sums requisite to pay for the bills purchased for the Bank itself.

In reviewing the whole investigation by the Committee of the transactions between the Bank of the United States and the brokers, there is one consideration which most forcibly struck the mind of the subscriber, and which he thinks pre-eminently worthy of the consideration of Congress and of the nation. The charge of favouritism to certain *brokers*, of connivance with them, to speculate and prey upon the public interests for purposes of usury and extortion, formed a very prominent item in the original resolutions of the Chairman of the Committee upon which this investigation was instituted. It was one of those charges, which, in its essential nature, imported not simple inadvertence, indiscretion, error of judgment, or mismanagement, in the President and Directors of the Bank, but the sordid peculations of a swindler. It was impossible that those charges should be true, if the President of the Bank of the United States was a man of common honesty.

There was no sparing of commentary upon the scanty coincidence of facts which the proposer of the resolution was willing to consider as giving sufficient colour to the charge to entitle it to the honour of an inquiry. That there had been, and still were, large dealings between the brokers and the Bank, was sufficiently notorious. That the Bank and the brokers had competitors, rivals, and enemies, whose rancour was sharpened by all the stimulants of avarice and ambition, was not less apparent. These passions never fail to have watchful observers in their train. Whispers, it now appears, had been in circulation even from the year 1824, ripening for a term of seven years, into rumours of combined and concerted frauds and embezzlement of the funds of the Bank, to the private purposes of the President of the Bank, and the principal brokers of Philadelphia. What was their foundation? Extensive dealings between the Bank and the brokers—of course very large discounts to the brokers. Interest to the amount of a few hundred dollars once or twice allowed for the use of money by the Bank to the brokers. Cash taken out of the Bank by the brokers for a few days upon deposit of stock left in its place. Enormous loans to the brokers, sometimes even at a rate of interest less than six per cent. a year. Superadded to all which the name of the President of the Bank was Biddle. The name of the supposed accomplice broker was Biddle, and they were descended from one great grandfather. To the suspicions of awakened jealousy, here were abundant elements for the most nauseous compound of fraud and corruption. Secret communications are accordingly made to the proposer of the resolution for inquiry, and with a predisposition of hostility to the Bank, a plausible denunciation of guilt and dishonour on the part of the President of the Bank, assumes the formidable aspect of a public accusation, and invokes the sanction of a legislative investigation. Had the reflection once occurred, that to all these great operations between the brokers and the Bank, the Government itself was a party, though unseen, the mystery

would have been explained, without needing a resort to the injurious suspicion, that a man honoured annually by a series of re-elections to a station of high trust and confidence, was reducing himself to the level of a common counterfeiter of coins. The subscriber believes that suspicion, though a necessary auxiliary to the faithful discharge of a public trust, should itself be trusted with great reserve. A man conscious himself of integrity of purpose, should not readily admit into his mind the belief that others are reckless and unprincipled. Above all, does he believe that a man of honest and candid mind, who has been induced by false representations to admit and to countenance imputations upon the honour of another, owes him, when disabused by the evidence of unquestionable testimony, the signal reparation of a candid acknowledgment of error. He never for a single instant believed that those dishonourable imputations upon the President of the Bank were founded in truth; but when he found them embodied in the positive declarations of a witness upon oath, and fortified by a bold exhibition of a contemporaneous memorandum, and a confident appeal to the books of the Bank, he scarcely dared to indulge the expectation that this desperate lunge against a citizen of unsullied honour could have met so immediate and so total a discomfiture.

The exploration of the accounts of members of Congress and officers of the Government with the Bank, came, in the opinion of the subscriber, under the same category as those of editors of newspapers. The resolutions of the House of Representatives authorized the examination by the Committee of the books, only as evidences of the proceedings of the corporation.

The questions for the Committee were: Had they violated the charter? Had they violated any law of the land? To these inquiries they were limited, and upon these alone could they with propriety report.

As an exemplification of the odious nature of further inquiries, the subscriber will only mention the case of the members of Congress, who, during the present session, have received the compensation for their public service from the branch bank at Washington, in advance of the passage of the general appropriation act. This is one of the favours to members of Congress, equivalent to a loan without interest to each member, of the amount of money which he thus receives from the time of his receiving it until the appropriation act shall have become a law. Its aggregate amount from the commencement of the session to this day, in payments to members of Congress, and the executive officers, falls little short of four hundred thousand dollars. The amount of interest that would have accrued to the Bank, had interest been paid by each individual member, would have exceeded three thousand dollars. The subscriber himself is not without doubts of the propriety of this indulgence, and confidently avers that nothing which the investigation of the Committee has discovered in the proceedings of the President and Directors of the Bank is of a more questionable character. The member who receives his pay in advance of the appropriation, does not indeed receive it in advance of the service which entitles him to it. But where is the law authorizing

the Bank to make the payment. The member who receives the money is only accessory to the payment by the Bank, and there is many a member of this House, who, in voting for this investigation, little imagined that his own name would be returned among the members of Congress, receivers of special favours from the Bank. Many a member, who, perhaps, has received the favour without knowing it, yet is obnoxious in principle to the charge in the original resolution offered by the Chairman of the Committee; quite as obnoxious to the imputation of impure motives in the Bank, as the Bank can be made by all their transactions with editors of newspapers or printers, James Watson Webb and Mordecai M. Noah included.

One great and insurmountable objection to the right and justice of entering into a scrutiny of *motives* for proceedings not forbidden by any law, was, that the Committee could exercise no censorial power of that nature, over the President, Directors, and officers of the Bank, or, at all events, over individuals having dealings with that institution, which those individuals had not an equal right to exercise over the Committee and every one of its members in return. What motive, for example, could impel a member of the Committee to call in exercise all the power of Congress to suppress the publication of essays or speculations favourable to the Bank in newspapers? Would not the editor of a newspaper thus inculpated have the same right to inquire into the motives of the committee-man? If, peradventure, he should have been in the habit of making free use of the press to assail and discredit the Bank, would not this struggle to deprive the Bank of self-defence through the medium of the press, be attributed to the desire of having the monopoly of that powerful engine to himself? Would it not argue a consciousness of weakness in the appeals to public opinion against the Bank, if, to sustain the charges against it, there should be an attempt to suppress all the means of self-defence? The freedom of the press, in the language of party spirit, means the unlicensed use of that instrument for itself to assail, and a total interdiction of its use to the adversary for defence. And singular, indeed, would be the section of a charter to a bank which would leave it open to every shaft of slander, and deprive it of all possible means of repelling the assault.

Among the useless, and worse than useless inquiries into which the majority of the Committee thought themselves justified in descending, were imputations of political misconduct in certain officers of the branch bank at Norfolk, in Virginia. Articles of complaint as grievous and perhaps as numerous as those of the Chairman of this Committee against the President and Directors at Philadelphia, had been laid before that board against the President and Cashier at Norfolk, by a person who *had been* one of the directors of that branch. A long and patient investigation of those charges had been made by the board at Philadelphia, and one of their cashiers had been sent to make a thorough examination of all the facts of the case upon the spot itself. The charges had been found totally destitute of foundation, and there was among the archives of the Bank a voluminous correspondence, which was

all submitted to the examination of the Committee. To give the House a faint idea of the extent of *this* inquiry, it may be sufficient to say that the whole controversy respecting the accounts of a late Navy Agent at Norfolk, and the pamphleteering and newspaper war between that officer and one of the Auditors of the Treasury, were among the simplest of its elements. After plunging for a series of days into these mysteries, almost deep enough for every member of the Committee to take his side upon two or three by-gone contested elections at Norfolk; after plodding over manuscript volumes of acrimonious bitterness from the most pertinacious of complainants; after examining the long protracted correspondence both of that complainant and of the inculpated officers of the Norfolk branch, with the board at Philadelphia, and the cashier who had made the investigation at Norfolk; after giving the complainant himself the trouble of repairing to Philadelphia to sustain his charges, and try over again criminations and recriminations, which a judicial tribunal, after summoning half the inhabitants of the borough of Norfolk, and subjecting them to an endless list of interrogatories and cross-examinations, would scarcely have been competent to solve—after the consumption of several days in these inquiries, the last result of which, must, under any possible termination of their investigation, have left them precisely where they began, the majority of the Committee concluded to desist from what the subscriber believed the Committee ought never to have undertaken, and what the Chairman reports “they have been compelled to abandon for want of time.”

The complaints made against the President of the Bank at Portsmouth, New Hampshire, in the summer of 1829, and the correspondence between the board at Philadelphia, and the late Secretaries of the Treasury and of War, form a portion of the documents relating to the books and proceedings of the Bank, called for by the Committee, and communicated to them. They are not noticed in the Report of the Chairman, but, in the opinion of the subscriber, are more deserving of the attention of Congress, and of the nation, than any other part of the papers commented upon in the Report. An effort, very thinly veiled, on the part of two of the executive departments of the General Government to exercise a control, political and pecuniary, over the proceedings of the Bank and its branches, a control highly exceptionable in principle, and even contrary to law, appears to him to be fully disclosed in those papers. He will not permit himself to inquire into the motives of the agents in those transactions. It is sufficient for the protection of the public interest that the projected encroachments of power were disconcerted and laid aside.

Among the objects of investigation authorized by the majority of the Committee, transcending, in the opinion of the subscriber, the powers delegated to them by the resolution of the House, and therefore unwarranted and improper, were six sets of interrogatories, amounting in all to one hundred and sixty-one questions, addressed by one member of the Committee to the President of the Bank, never submitted to the Committee for their consideration, but drawn up, a large portion of them, after the Committee

had closed their examinations at Philadelphia, and after the subscriber had returned to Washington, and resumed his seat in the House. They reminded him of certain popular works of instruction for children, in which universal or particular histories, or abstruse and profound sciences are taught by question and answer. The subscriber has found many of them, upon perusal, passing his powers of comprehension, but they appear to comprise a compendium of political economy, and the skeleton of a profound dissertation upon coins, currency, paper credit, circulation, and banking. The subscriber cannot withhold his admiration from the comprehensive views and profound knowledge of the subject discovered in those inquiries, and believes that satisfactory answers to them might form a very useful second, though somewhat larger volume, to the *Legislative and Documentary History of the Bank of the United States*, compiled by the indefatigable research and industry of the Clerk of the House of Representatives, and his associate. But a large portion of the questions might, with more propriety, be addressed in a circular to the presidents of all the banks in the four quarters of the globe, than to the President of the Bank of the United States. And it may be doubted whether of many of the inquiries, a convention of all the bankers in the world would not be reduced to the necessity of leaving them as they found them—to be solved only by the ingenuity or sagacity of their author. The subscriber objected to them as they were presented in clusters; not but that some of the questions might be within the compass of the powers and duties of the Committee, but that they were buried in such a mass of heterogeneous matter, that it would have occupied the Committee to the last moment of their happily limited time, to extract the pertinent matter from its incasement. The subscriber believed it quite unjustifiable, under the authority of the Committee, to make of this inquiry a general disputation upon banking.

Upon the mass of documents and tabular statements collected by the Committee, and reported to the House, the subscriber has so imperfect a knowledge that he can form no distinctive opinion. He has never had access to the greater part of them. They were called for by resolutions submitted by the Chairman and one or two other members of the Committee, without disclosing the objects which it was expected they would elucidate. Most of the time, while the Committee were at Philadelphia, was consumed in the compilation of them by the officers of the Bank. When collected, they remained in the possession of the Chairman of the Committee to enable him to prepare his Report, and the subscriber has not even seen a considerable portion of them. He will confine himself, therefore, to those which have been noticed in the Report of the Chairman and majority of the Committee.

1. The charge of usury, as having been taken some ten years since by the branch bank, at Lexington, as set forth in the case of the Corporation against Owens, and others, reported in the second volume of Peters' Reports of Cases argued and adjudged in the Supreme Court of the United States, was one of those upon which the Chairman of the Committee had largely expatiated in his speeches, at the time when he brought forward his resolution of

investigation. No information varying the state of the facts as they were then explained, was obtained by the Committee. It was then sufficiently shown, that in all the transactions of this case there had been neither usury, nor any thing resembling usury, on the part of the Bank. That it was a case in which the Bank had not done, but had suffered, grievous wrong. A transaction in which the subscriber has no hesitation in saying, that if the parties had been on both sides individuals, the plea upon which the defendants extricated themselves from the engagements which they had contracted, would have been in no wise creditable to them.

The Bank had discounted a promissory note of Owens for five thousand dollars, upon which the other defendants were joint signers with him.

For this note Owens received the sum of five thousand dollars in *notes of the Bank of Kentucky*, promising to pay the same sum *in specie* in three years from the date of the note. At that time, the notes of the Bank of Kentucky were depreciated, and purchasable in market, at a discount of 54 per cent. Owens received them at their nominal value, and promised payment for them in specie three years after date. The notes had been received by the Lexington branch at their nominal value, and partly for Government deposits. To them they were equivalent to specie. Within six months after the transaction, they recovered their nominal value. Had the Lexington branch retained them, they would have been repaid at their full value, with lawful interest, till the time of payment. They never received one dollar of usurious interest upon them—never one dollar more than was actually paid to the holder of them by the bank of Kentucky, from which they had issued. The money was equivalent to specie to Owens himself at the time when he received it, and he paid with it debts of his own at their nominal value.

But the branch at Lexington, in the case before the court, was as many a suitor besides has been, made the victim of a special *plea* and demurrer. The plea set up by the defendants to escape the payment of an honest debt, set forth, not that the notes of the Kentucky bank were of less value than specie, to the branch at Lexington, the loaner; not that they were of less value than specie to Owens, the borrower and receiver; not that at the time when the note was made payable, they were of less value than specie even in the open market, but, that *at the time when the note of Owens was discounted, the notes of the Kentucky Bank were* GENERALLY DEPRECIATED—so that 100 dollars thereof nominally were of the CURRENT VALUE of only 54 dollars. To this plea of *general depreciation*, and *current value*, there was, perhaps incautiously, what the lawyers call a *demurrer* on the part of the Bank; which demurrer, according to the practice of judicial courts, precludes the party from the benefit of any other facts than those specially set forth in the plea. Special pleading has long been known among the practitioners of the law, as the science of spreading snares for the unwary; and so odious has it become from the frequency with which it is thereby made to operate injustice, that in many States of this Union, legislative acts have abolished it

altogether by providing that in all cases whatever, a defendant shall be at liberty to take the general issue, and give all special matter in evidence under it. In this case, however, the general issue did not suit the purposes of the defendants. They could not aver that they had not made the promise to pay the money for which they were sued by the Bank. They could not deny that the Kentucky bank notes had been to the borrower and to the lenders equivalent to so much silver. They could not deny that long before the note became payable, the Kentucky bank notes had recovered their full value. Owens himself had not the face to join in the plea, but the joint signers of his note, finding it more convenient to charge the Bank with usury, than to fulfil their engagements, screened themselves from performance by this plea of *general depreciation*, and *current value*, and by averring in their special plea, contrary to the fact, that there had been a *corrupt* and *unlawful* agreement between the Bank and themselves, that the Bank should receive more than lawful interest upon the loan to Owens. It was no such thing. There had been no such corrupt agreement; but the Bank, by demurring to the plea, deprived itself of the means of disproving that allegation, and upon that state of things, the decision of the case, by a bare and doubting majority of the Judges of the Supreme Court, was against the Bank. With the utmost deference for the opinions of that Court, the subscriber believes they never gave a judgment of less authority than in this identical case. The Judges of the Circuit Court for the District of Kentucky had differed in opinion upon the case. The judgment of the Supreme Court was delivered by Judge Johnson, who declared himself to have entertained *very serious doubts* of the sufficiency of the averments in the plea. After stating those doubts, he adds, "*I am content however to unite with the THREE of my brethren, who make up the MAJORITY on this point, in holding the averments to be sufficient, because in a considerable dearth of authorities on this subject, I find it decided in the case of Bolton vs. Durham, in Croke's Reports, Cro. Eliz. 642, that THE CONFESSION OF THE QUO ANIMO IMPLIED IN A DEMURRER will affect a case with usury, when a VERY SIMILAR CASE in the same book, in which the plaintiff had traversed the plea, was left to the jury with a favourable charge. Benningfield vs. Ashley, Cro. Eliz. 741.*" Here then Judge Johnson declares that after very serious doubts he was content to unite with his three brothers to make up a majority against the Bank, because he found in an old reporter of the time of Queen Elizabeth that the confession of the *quo animo*, (that is, of the alleged but fictitious *corrupt agreement*) *implied in a demurrer*, made that usury, which, by the authority of the very same book would not have been usury, if the plaintiff had *traversed the plea*, that is, had denied and tendered in issue the pretended corrupt agreement. If, then, the branch at Lexington, instead of demurring had traversed the plea of the defendants, that is, if they had denied the existence of the corrupt agreement, averred by the defendant, but which had never existed, the Supreme Court would have decided that there was no usury in the case, and the defendants would have been compelled to perform their

lawful engagement instead of evading it by stigmatizing themselves with corruption.

The subscriber will pursue no further this analysis of the decision of a majority of the Judges of the Supreme Court of the United States. In cases where that venerable tribunal is at liberty to harmonize in judgment with the award of moral sensibility, there is none to whose discernment and discrimination he would bow with more respectful deference. But in the review of judicial decisions upon contracts avoided by pleas of usury or statutes of limitation, there would be always found "a considerable dearth of authorities" in the English reporters, traced back even to the age of Elizabeth, in which the fiat of the law has been in unison with the dictate of justice.

In one of the precedents cited by Judge Johnson, the court is said to have observed "*there is nothing immoral in this transaction, but it is against a prohibitory statute.*" This remark was not wholly applicable to the case of the Bank of the United States against Owens and others. Of that transaction it could not be said there was nothing in it immoral. There was something in it profoundly immoral, though not on the part of the Bank. Even the violation of the prohibitory statute was an inference against the fact, from the confession *implied in a demurrer*. The Bank was first debarred from the recovery of a just debt, and then branded with usury upon the plea of *general depreciation* and *current value* of the notes of the bank of Kentucky, when in fact there was not a cent of usury taken or even reserved.

The subscriber, however, cannot suppress his surprise that *this* case should have been selected and should now be persisted in, as the head and front of the offences of the Bank of the United States. Not alone, because, upon a thorough examination of the facts, as they appear upon the face of the Report, it is the settled conviction of his mind that, throughout the whole of this transaction, the Bank was the innocent and deeply injured party—not alone, because he deems it would be the summit of injustice to hold the Bank of the United States responsible in its charter for an unlucky demurrer pleaded seven years ago, in a suit brought by the branch at Lexington, against delinquent debtors. But because, setting aside all those considerations, and supposing even the President and Directors of the parent Bank culpable of all the mistakes in pleading of the branch at Lexington, this transaction is of ten years standing. If usury there were, it was the usury not of Nicholas Biddle and the Directors of 1832, but of Langdon Cheves and the Directors of 1822. The contract was made in May of that year. From the endorsement upon the note then made by an illustrious citizen of Kentucky, and one of the most distinguished lawyers of the Union, (Mr. Clay,) it is clear that there was nothing in his opinion, in the transaction which could expose it to the charge of usury. The subscriber sees nothing in it of that nature now. It was undoubtedly considered in the same light by the then President of the Bank, Mr. Cheves, to whose opinions upon other points regarding the administra-

tion of the affairs of the Bank, so much deference is shown in the Report of the majority of the Committee, that the subscriber thinks he might well have been spared this imputation of being accessory to an usurious contract of the branch at Lexington, and of having permitted it to be consummated without censure or animadversion.

The next charge upon which the majority of the Committee have deemed it within their competency to report is that relating to the issuing of the branch drafts or notes. Upon this subject, there was nothing of any moment for the investigation of the Committee to discover. Their existence, the causes in which they originated, and the purposes which they were intended to answer, had all been disclosed upon returns already made by the President of the Bank to inquiries instituted by this, and the other House of Congress. They had been issued, not hastily, but after deliberate advisement with regard to their legality, sanctioned by the written opinions of three of the most eminent counsel, learned in the law, in the United States. All the facts leading to a just estimate of their expediency were well known. They were substituted for small notes, signed by the President and Cashier of the parent Bank, of which it was impossible for them to supply sufficient numbers for the necessary circulation of the country. The Report of the majority of the Committee states, much in detail, the repeated and earnest applications of the President and Directors of the Bank to Congress for an additional authority to the presidents and cashiers of the several branches, to sign the notes issued by those branches. It does not appear that this request was ever denied by Congress, after deliberation. In one instance, at least, there was a report of a select committee of the House of Representatives, in favour of the appointment of signers to the notes of the Bank; but the spirit which, in the halls of legislative power, so often defeats by procrastination that which it cannot reasonably reject, had always succeeded in arresting the action of Congress upon this proposal. But the power which was adequate to withhold the means of furnishing, in this form, uniform currency for circulation, could neither supply its place, nor suppress the constantly recurring want of it, in the intercourse of business between the different parts of the country. The solicited power was never denied, but it was never granted; and the omission to grant it had the effect of denial. The want of circulating currency, equivalent to specie, continued with increasing pressure upon the people, and especially at the locations of the southern and western branches of the Bank. An expedient was at last resorted to, which, without transcending the limits of the charter, effected the same purposes which would have been accomplished by notes payable at the branches, under the signature of their presidents and cashiers. It was, that they should be authorized by the directors of the parent Bank to draw notes or drafts upon the Bank, payable only there. That this expedient was warranted by law, has been settled by solemn decision in the Circuit Court of the United States. It had previously received the sanction of the Secretary of the Treasury. An ob-

vious remark upon it is, that its success depended upon the extensiveness and universality of the credit of the Bank. The drafts, though payable only at the Bank in Philadelphia, circulated as specie in every part of the country. But for that credit they could not have circulated at all, or only as depreciated currency. They have answered an exceedingly useful purpose, and proved a great public convenience in the transaction of business, and the circulation of exchanges throughout the Union. Under management always prudent and cautious, no serious inconvenience would be anticipated from them. But it is not to be disguised, that they offer facilities and temptations for improvident and excessive issues. The bill reported by the Committee of Ways and Means, for re-chartering the Bank of the United States, proposes to prohibit the issuing of these branch drafts, but to authorize the presidents and cashiers of the branches to sign bills payable at their respective offices only. The want of a circulating currency will not be so effectually supplied by this process, as by that now in use; but it will be more invariably safe to the Bank itself. It is understood to be more acceptable to the President and Directors, and the subscriber is willing that it should be substituted for the practice now established, from which, however, he perceives not that any serious public injury has yet resulted. That it is justifiable under the charter, he has no doubt.

The next charge adopted by the majority of the Committee, from the bill of indictment of the chairman, is, that the President and Directors of the Bank have been guilty of the crime of receiving and paying Spanish dollars, and even our own gold coins at their intrinsic value, which is higher than that conferred upon them by statute. The objection is, that these are not technically called bullion; and there seems to be an argument in the Report, that to give or receive more for foreign coin, or for domestic coined gold, than their value, as established by law, is unlawful. This argument, the subscriber believes, has the merit of novelty—to him at least it is new. So long as the proportional value in the market of gold to silver, whether bullion or coin, shall be seven or eight per cent. higher than the relative value assigned to them by statute, while both shall be legal tenders—so long as Spanish or Mexican dollars shall contain more pure silver than the coinage of our own mint, so long will the coin of highest intrinsic value be bought and sold as commodities, in spite of all human legislation. Nothing is more clearly established by the universal experience of mankind, than the impotence of despotism itself, to control the value of the precious metals. Every attempt to exercise such authority bears upon its face the stamp of injustice. Charles XII. of Sweden, once transmitted a message to the Senate of the kingdom, that he would send to govern them one of his boots. The same monarch successively issued eight or ten copper counters, each of about the weight of half a cent, and decreed that they should pass for Swedish silver dollars. His own creditors were compelled to receive them; but to pass them off upon others, at the same rate, was beyond his power. With two metallic legal tenders of different intrinsic value, the Bank, like every other cor-

poration or individual, has the option, and always will make the option, to *pay* in the tender of lowest value. Their debtors having the same option, will, as universally, pay the corporation in the same tender of lowest value. To forbid the Bank from receiving foreign silver or domestic gold coins at an advance, would be to expel them, unless as special deposits, forever from their vaults. To forbid the Bank from paying them at an advance would be prohibition ever to issue them at all. They are commodities in the market which will be bought and sold, by all the brokers and State banks in the Union, whether bought and sold by the Bank of the United States or not. The participation of that Bank in the traffic, far from tending to disturb the legal value of the coin, and render that portion of the metallic currency uncertain and fluctuating, has a tendency directly the reverse. To prohibit the Bank from making an allowance of advance upon Spanish dollars, would be a prohibition to import specie, consisting of that coin, at all. Then, either it would be imported to the same extent by other institutions and individual traders, or there would be a deficiency in the supply of specie. In the former case the fluctuation in the value of that kind of specie would be neither more nor less than it is, and in the latter, it would be much greater.

The fourth charge reported by the majority of the Committee, is that of *selling* "*stock obtained from government, under special acts of Congress.*"

In this, as in many other parts of the Report, the subscriber has had occasion to regret the want of precision in the statement of the charge. Here almost every word in which the charge is conveyed is remarkable for its looseness and indefiniteness of meaning. Who, for example, under denomination of "*stock obtained from government,*" would naturally understand the evidences of a loan made to the government by the Bank itself? In the contract of loan there must be a debtor and creditor, neither of whom can with propriety be said to *obtain* any thing from the other. In the use of ambiguous language, there is always danger of ambiguity of conception. In this case, if the Bank *obtained* stock from the Government, it was because the Government *obtained* money from the Bank. The loans could not have been made without special authority by act of Congress, and that authority was expressly given. The Bank is prohibited from *purchasing* any public debt whatsoever, but it is not prohibited from *selling* any certificate of public debt, which it may lawfully possess. With regard to the loans to which the Report of the majority of the Committee refers, the stock which represented the moneys borrowed, was made transferrable by the very acts of Congress which authorized the loans. The Bank received the certificates transferrable upon their face, and neither that act, nor the charter of the Bank, nor any other law of the land, prohibited the Bank from selling them. If the object of the argument of the majority Report upon this charge be, to urge that, in the new charter which may be granted to the Bank a clause should be introduced to prohibit the Bank from selling the certificates of the stock of authorized loans by the Bank

to the Government, it is obvious that such a clause would be precisely equivalent to a provision that the Bank should never loan to the Government at all, for it is clear that Congress could lay no other competitor with the Bank for the loan under the same restriction; nor could the Bank, under such a restriction, ever enter into competition with other proposers for the loan not so restricted. Among the great public benefits of a National Bank, with a capital proportioned to the extent of its operations, the subscriber considers this very facility furnished to the Government of contracting loans upon moderate terms, as the exigencies of the public interest may require, holds a conspicuous rank. He believes those very loans to which the majority Report refers, to be signal examples of the benefit of the Bank to the nation. He is well assured, that if at the time when those loans were contracted, there had been no National Bank, the loans must have been made upon terms much more burdensome to the borrowers, while the public Treasury would have lost all the profit of the participation in the loan to the nation as stockholders of one-fifth of the capital of the Bank.

The fifth and sixth subjects of charges, considered by the majority Report as amounting to violations of the charter, come within the purview of one and the same principle. They consist of expenditures made by authority of the President and Directors of the Bank for the purpose of improving and of adding value to the real estate, of which, in the course of their business, they have become lawfully possessed. There are two donations of 1,500 dollars each to turnpike road companies—some appropriations for canal basins—for building of six warehouses, and perhaps some other houses. There appears to be in the principle of these charges something of an instinctive aversion to internal improvements—a sentiment with which the subscriber must disclaim all sympathy whatever. The majority Report presents the donations to the two turnpike road companies as offences highly aggravated by the circumstance that the General Government had *declined* making appropriations for *similar objects*—which *declining* for *similar objects*, becomes, in the very next sentence of the Report, a direct *refusal* of the Government to expend its revenues on the *very same* objects.

But this assertion, in either of its forms, is liable to much controversy, and must be received with much qualification. It is admitted, in a note to the Report, to be *possible* that the improvements were in the neighbourhood of the real estate of the Bank, and upon the ground that such donations would increase the value of that real estate; and this possibility the majority would have found to be positive fact, if they had thought proper to ask for an explanation of it before passing censure upon the transaction.

The assertion is therefore altogether gratuitous, that the Government had declined to make appropriations for *similar* objects. The Government has made many and very large appropriations for the construction of roads, because they would give additional value to the public lands, through or near which the road was to pass. It was the main argument upon which the first very ex-

pensive work of internal improvement, the Cumberland road, was undertaken. It has silenced many a stubborn objection, satisfied many a timid scruple, subduing many a constitutional obstacle. So decisive has been its effect, that it would be difficult to name a single instance of the refusal of Congress to make an appropriation to assist in the construction of a road when it has been made apparent to Congress that it would raise the value of the public lands. If, therefore, the proceedings of the Bank were to be influenced by the example of the Government, they had the full sanction of their authority for their appropriations for these turnpike roads. Nor is it just to consider them in the light of donations or gratuities, wasteful of the property of the stockholders. For such expenditures, the board of directors at Philadelphia could have no imaginable motive other than that of promoting the interest of their stockholders, and making their funds more available. With regard to the building of houses, the majority Report quotes the restriction in the charter upon the holding of real estate by the Bank. The Corporation is permitted to hold lands, tenements, and hereditaments, bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts previously contracted in the course of its dealings, or purchased at sales upon judgments obtained for such debts. It is not alleged that the Bank holds one acre more of land than is thus allowed by law. But the majority Report seems to consider the restriction as affecting not only the quantity of lands which they might hold, but the right of improving that which was their own—the common proprietary right. If there had been any manifestation of a desire on the part of the corporation to increase the quantity of their lands, tenements, and hereditaments, permanently held, the subscriber would have been among the first to censure their design, and the readiest to restrain them from the indulgence of such a desire by law. But almost all these lands were held in one place—Cincinnati in the State of Ohio. They had, according to the declaration of the President of the Bank, come into their possession strongly against their own inclinations. He stated, and it appears to be perfectly natural, that all the lands which came into their hands were considered by them as incumbrances; that their design was to dispose of them as speedily as they possibly could. That for this purpose they had erected a small number of houses, to make both the land on which they stood, and the adjoining lands, more easily and more freely saleable. The buildings were also erected, partly by contributions, in labour and materials, by debtors to the Bank, who had no other means of payment. The advantage of all this was principally to the stockholders of the Bank, and the subscriber believes that the solicitude for their interests, so warmly manifested in the majority Report, when denying the right of the President and Directors to spend their money in donations and gratuities, will find no responsive voice amongst the stockholders themselves. It was indeed the unfortunate condition of those to whom the management of the affairs of the corporation were entrusted, that, whatever they have done, must be made a subject of censure. If they increase their business and

their profits by branch drafts upon the Bank, it is a heinous offence, because Congress had neglected to give a power to sign the bank bills to any other officers than the President and Cashier. If they increase the value of their real estate by contributing to a turnpike road, it is wasting the property of the stockholders in gratuities and donations. If they enlarge their discounts and accommodations, they supply temptations to over-trading, and bring the Bank to the verge of ruin. If they contract their issues, they produce unheard-of distress in the trading community. Do they trade in foreign silver and domestic gold coins? They are accessory to the pernicious exportation of the precious metals. Do they substitute bills of exchange for silver dollars in the exportation to China? Who does not see that they must send to London the coin which formerly went round the Cape of Good Hope? And, besides, the transaction looks very like *respondentia securitatis*. The most perfect parallel to the majority Report known to the subscriber, is the lively lady in "Much Ado about Nothing:"

"who never yet saw man,
 "How wise, how noble, young, how rarely featur'd,
 "But she would *spell him backward*."

Thus, when the administration of Mr. Cheves can be exhibited in favourable contrast with that of the present President, it is presented with high and earnest commendation: but when a charge of usury can be brought to bear upon the Bank, upon the credit of a *confession implied in a demurrer*, the occasion to stigmatize the Bank cannot be passed over, though ten long years have slumbered over the sin, and though Langdon Cheves himself must be branded as the usurer.

The subscriber will no longer tax the time and patience of the House by pursuing into their microscopic details a series of inculpations and criminations, not one of which, in his deliberate opinion, has a shadow of reasonable foundation. How could he consider otherwise than a waste of time a prying scrutiny into the question—Who of the stockholders have usually voted at the election of the directors? Who were the voters present? And who held the proxies of the absent? When it is notorious that in this, as in all similar institutions, whose stockholders have confidence in their presiding officer, the great difficulty is to prevail upon the stockholders to attend and vote at the elections at all? How could he consider as a grievance to be probed to the quick, and reported upon to the House, that whereas the charter provides that there shall be twenty-five directors, there are at this very hour only twenty-four, because the stockholders at their annual meeting did elect Nicholas Biddle one of *their directors*, and the President of the United States did nominate, and, by and with the advice of the Senate, did appoint the same Nicholas Biddle one of the five directors on the part of the Government. Such has for several years been the fact, and the conclusion naturally and justly to be drawn from it is, that Mr. Biddle has enjoyed the unquestioning and entire confidence, both of the Government and of the individual stockholders. The reason of the double election has been this: the President of the Bank is elected by the directors on the first Monday in January, and none

but a director is eligible to the office of President. The nomination of Government directors sometimes lingers in the Senate until after the first Monday of January. The stockholders, therefore, elect Mr. Biddle as one of their directors, that he may with certainty be re-eligible as President. When the nomination of Mr. Biddle, as a Government director, has been completed in time to be known to the stockholders at their election, they have not chosen him; when it has not, he has been appointed and elected. And thus there are only twenty-four instead of twenty-five directors. In all former years, however, Mr. Biddle has declined accepting the appointment as a Government director, and his place has been supplied. So that, until the present year, the board of directors has been full. The effect of his not declining the appointment from Government the present year is, that he is removable from office at the pleasure of the President of the United States.

Ten years long has this confidence been enjoyed and justified by that distinguished citizen and honourable man. No question had ever been insidiously started, how many proxies he held? The more he held, the more extensive was the confidence of the stockholders in him. No scruple had ever crossed the mind of any President of the United States, to deter him from nominating him year after year as a Government director. Not a voice had ever been raised in the Senate to cause their hesitation to confirm his appointment, and so perfectly in harmony with this confidence has been that of the public, that not a rumour has ever been raised of a prospect or even of a project for the election of any other person as President in his place. After ten years of fair fame thus sustained without an adverse whisper being heard, it has been a source of deep mortification to the subscriber to see the character and feelings of such a citizen treated by a Committee of the House of Representatives as if he had been an inmate fresh issued from a penitentiary to preside over the Bank of the United States. As an exemplification of this fact, it might be sufficient to refer to the *tone* of the majority Report from beginning to end; to the consciousness of authoritative power which pervades all its pages, unmingled with that courtesy which arrays even authority itself in the ornaments of a meek and quiet spirit—to the continual contestation even of facts stated by the President of the Bank upon oath—to expressions so divested of all semblance of delicacy as these; that “the Bank as it collects the revenue, knows, *or ought to know*, that it will be called upon by the Government to reimburse it.” The subscriber forbears, for he finds it difficult to express his sensations without using terms obnoxious to the same criticism which he is compelled to apply to these.

A large portion of the same Report, and that with which it closes, consists of an elaborate argumentative parallel between the condition of the Bank in 1819, when it is stated to have been upon the verge of bankruptcy, and its present condition. Without entering into the particulars of this disquisition, the subscriber will close this his own Report, with a few general remarks concerning it.

And in the first place he observes, that the Bank cannot, with any propriety be said to have been upon the verge of *bankruptcy* in 1819. It did not suspend specie payments for an hour—it had met with heavy losses—its capital had not been punctually paid in, conformably to its charter. Imprudent and irregular, if not fraudulent speculations in its stock had been allowed and shared by one or more of its directors. It had failed in the indiscreet attempts to make all its bills payable at all its branches. Had a severe pressure come upon it, a short interval might have ensued during which it might have suspended cash payments, and that would greatly, perhaps permanently, have affected its credit. But the Bank was never near the verge of bankruptcy. The majority Report itself states, that in April, 1819, when its difficulties were the greatest, its means of specie, notes of other banks, and funded debt, amounted to upwards of ten millions of dollars, while the whole demands which could come against it in the same month, amounted to only about 14 millions. There is nothing like an approach to bankruptcy in this. But the pressure on the Bank in 1819 did not proceed from the errors or imprudencies of the corporation itself only. There is an ebbing and flowing of the tides of commerce almost, though irregularly, periodical throughout the world, and there is a sort of galvanic sympathy in the contractions and expansions of the great moneyed institutions in both hemispheres. The restoration of specie payments by the Bank of England in 1817 and 1818, undoubtedly produced an immense pressure upon the circulation, and of course, upon the commerce of the world. All paper circulation beyond the amount representing the precious metals, is fictitious capital, or rather, it is *credit*. The question whether the balance of moral influence upon the condition of men, arising from circulating credit and banking, be a blessing or a curse, is a speculation for the closet. Money has long, and upon divine authority, been pronounced the “root of all evil,” and paper money shares in its full proportion the character of its prototype. Power for good, is power for evil, even in the hands of Omnipotence. Had there been in 1819, no Bank of the United States, the pressure must have been incomparably greater, and the ruin far more widely spread than it was. The opinions exhibited in this portion of the majority Report are reproduced in the interrogatories of the member of the committee to the President of the Bank appended to it. The subscriber will barely refer to the answers by the President of the Bank, which render all further discussion of them superfluous.

But if it were true that the condition of the Bank in 1819, was upon the verge of bankruptcy; and if it were also true that the present condition of the Bank were of exact resemblance to its deplorable state at that time, the discretion, the patriotism, and the humanity of the Committee could scarcely have sanctioned the disclosure of so disastrous a secret to the world. The market price of the Bank stock at the time when this inquisition into the affairs of the Bank was instituted, was at an advance of at least 25 per cent. upon its nominal value. In spite of all the denuncia-

tion against it, in spite of all the learned arguments, all the arithmetical calculations, all the statistical theorems, corollaries, and demonstrations, with which it had been for years assailed in and out of Congress, the price current of bank stock, the thermometer of public confidence, was still at 25 per cent. advance upon the shares. If the majority of the Committee had really made the discovery that the affairs of this Bank were in such a desperate state, from the extraordinary pressure upon the money market and the depression of trade, considering the large stake which the nation holds in the stock of the Bank, it would have been but prudent forecast in the majority of the Committee, and would have manifested a tender regard for the public interest, to have reserved the exposure of this crisis of terror and dismay until it should have exploded or passed away. In such emergencies, the most formidable of all dangers to banking institutions, is the spreading of a panic among its creditors. The issues and circulation of the Bank paper are undoubtedly large, and there has been for some months a severe pressure, though not a universal one on the money market. The President and Directors of the Bank became aware of this pressure on its first approach, and took measures of precaution as early as October last, to prepare for meeting it, and breaking its force. On the 7th of that month a circular was issued to the cashiers of all the branches, noticing the pressure which was to be expected, particularly upon the offices at Philadelphia and New York; instructing them so to shape their business as to furnish them so far as might be practicable with the means which were likely to be required. At that time the Government had given notice of a payment of six millions of funded debt to be paid on the first of January then next. But it had gone further, and authorized the creditors thus to be paid off in January, to claim their payments even at any time of the preceding quarter, although the Government had in deposit scarcely half the sum required for that anticipated payment. The Bank made no complaint, but took this measure of precaution. The same vigilant and restrictive policy was pursued through the winter and spring, except when mollified by the dispensations of Providence in the overflowings of the Ohio at Cincinnati and at Louisville.

At these places the credits of the Bank had been very large; yet, immediately upon being informed of this visitation of calamity, every facility was again extended, by direction of the President and Directors at Philadelphia, to those who had suffered by the floods. Shortly after, the Secretary of the Treasury makes a confidential intimation of a wish to pay off six millions of three per cent. stocks on the first of July next. To ease the pressure upon the commerce of New York, and to save the Bank from the necessity of curtailing the discounts of the merchants' debts to Government for duties—the President proceeds to Washington, and, in a conference with the Secretary of the Treasury, suggests the expediency of postponing, until the first of October, the payment of the six millions of three per cent. stock. The Secretary accedes to the arrangement, the Bank stipulating to pay the quar-

ter's interest, in consideration of having, during the interval, the use of the money; and this adjustment, so advantageous to the Government, so provident of the interests of the stockholders, so beneficent to the debtors, both of the Government and of the Bank, and so facilitating to the collection of the revenue at a time of considerable commercial embarrassment, is seized upon in the majority Report, as if the dearth of *reasonable* cause of complaint had bred a famine, and harped upon, as if it had been the convulsive gasp of the Bank in the very agonies of bankruptcy.

Now all this had led the mind of the subscriber, reflecting upon it with all the anxious intensity of which it is capable, to a directly opposite conclusion. That there was over-trading to considerable extent in the course of the last two years, he has no doubt. That the issues of Bank credit and circulation unusually large, partly furnished the means to this over-energy of enterprise, he is not prepared to deny. That in the earnest and proper anxiety to re-invest in productive funds the mass of capital thrown back upon their hands by the payment of the seven millions of the Government's debt for the stock of the nation in the Bank, the President and Directors may have for a moment overstepped the line where that prudence, which includes all the attributes of the Divinity, might have stopped, is possible. The subscriber is far from affirming that they did. If they did, he is sure that it was from motives pure as rectitude itself, and from infirmities of judgment incident to all the labours of man.

The President of the Bank very forcibly stated to the Committee, the extremely delicate position in which the institution stands towards the commercial community in this respect. So long as the Bank keeps within the line of safe operations upon its own funds, it leaves those of commerce to regulate themselves. It neither seeks to increase nor diminish them. When, from whatever cause, there is among the merchants a tendency to over-trading, it is not the province of the Bank, directly, to interpose against it; for that would be to exercise an invidious and improper control over business with which it has but a remote concern. Its general duty is to grant facilities while it has disposable funds uninvested. The point at which it ought to stay its hand is a matter of difficulty to determine, and upon which the soundest discretion may come to different results in different men. From the first appearance of the impending pressure, the measures of the President and Directors of the Bank appear to the subscriber to have been marked with great judgment, and to have been continued and modified, according to the progress of events, with equal steadiness of purpose, and benevolence of intention.

But, whether the Corporation issues its circulation with liberality, or curtails it with provident caution, it equally meets the censure of the majority Report. After quoting two passages from a report of Mr. Rush, commending the Bank for its prudence in limiting the amount of its circulation, it gives two statements, showing that between August, 1828, and the first of April last, the circulation had been augmented to what it calls the astonishing increase of upwards of ten millions in less than four years. But it

omits all notice of two facts, which, if duly considered, would have taken off all the edge of astonishment. The first is, that during that same interval, that seven millions of stock held by the Government, were repaid. The second, that upwards of three millions of the public debt, held by the Bank, were paid off; so that the astonishing increase of circulation is a mere reinvestment of capital, which had been returned upon the hands of the Bank, and only the substitution of one species of productive property for another. And scarcely has the sentence of censure been expressed in the Report, but it turns and complains, and appeals to the circular addressed to the branches, and correspondence with them since October last, that the chief object of the Bank has been barely to sustain itself; and that, since that time, the Bank has not *increased* its facilities to the trading community, in any part of the Union.

The subscriber believes that nothing can be more delusive than the parallel drawn, in the majority Report, between the state and condition of the Bank in 1819 and in 1832, but that Report has subjected itself to one test which is already disclosing the true character of its reasoning. It has ventured upon the field of prophecy, and the failure of its predictions is already brightening into demonstration.

In the anticipation that there will be a curtailment of discounts for several months to come, the foresight of the majority Report is probably correct. This, of course, must occasionally happen in all banking establishments. It is incidental to all the unavoidable fluctuations of trade, and is believed to be at this time indispensable, not only to the Bank, but to the whole commercial community. This operation has, indeed, been quietly proceeding in the Bank of the United States ever since the circular of 7th October, 1831; which the majority Report turns to so large account for its purposes. It has been in progress, while, at the same time, the direction of the Bank has been reserving and husbanding and prudently applying the means to the commercial portion of our fellow citizens, of meeting and passing through this critical emergency, with as little detriment to the public and to individuals as possible. This would explain, one would think, very satisfactorily, the fact stated in the letter of the President of the Bank to the Secretary of the Treasury, of the 29th March last, that, in compliance with an intimation from the Collector at New York, an extension of loans had been promptly acceded to, in the preceding month of February, to assist the mercantile debtors of the Government, in the punctual payment of their bonds; without needing an argument, such as that of the majority Report against this plain and direct assertion of a very notorious and unquestionable fact. The author of the Report finds, by reference to the weekly statement of the office at New York, from July, 1831, to April, 1832, no aggregate increase of loans; but, on the contrary, a reduction of the amount. He finds that the total amount of discounts at the New York branch, between the 4th of October, 1831, and the 28th of March, 1832, was actually diminished \$468,447 17, while, during the same time, the bonds paid at that port amounted

to between nine and ten millions of dollars. Can it be imagined that he discovers in this statement, compared with that in the letter from the President of the Bank, to which he refers, not an unanswerable demonstration of the prudence, as well as of the liberality which the affairs of the Bank have, in this respect, been conducted, but an occasion of contesting, by unavoidable implication, the *veracity* of the President of the Bank?—and this in a Report which, upon an immediately preceding page, charges the Bank with “*the loss of five millions of its specie.*”

On the first perusal of the Report the subscriber was himself greatly at a loss to know what was meant by this “loss of five millions of its specie,” of which he was very sure that no evidence had been given to the Committee; and it was only after a repeated examination of the paragraph in comparison with another part of the Report, that he found this form of expression was only an ingenious mode of accusing the Bank of a *loss of five millions of specie* between the first of September and the first of April, because there was nearly that amount more of specie in the funds of the Bank at the former period than at the latter. This construction, by which payment of debts is converted into loss of specie, may serve as a consolation for the disappointment arising from the inability to convict the Bank of any other serious loss since 1819.

With regard to the increase of the number of the branches, to the precise manner in which the annual election of directors has been conducted, to the alarming magnitude of the sums recently paid for printing, to the sums paid to the *solicitors* and *counsellors*, distinct from those paid to *attorneys*, to the number of *useful* documents not referrible to any particular head, and to the *many statements* called for, which the business of the Bank and the shortness of the time allowed for the investigation would not admit to be furnished, the subscriber will pass over all these subjects as they are passed over by the majority of the Committee, with the expression of his satisfaction that the labours of the Committee upon them were abridged by the march of time, and of his hope that no Committee of Congress will ever again be called to an investigation upon a plan of such interminable outline. He is convinced, that to fill it up according to the comprehensiveness of its conception and the multifarious complication of its details, a Committee appointed at this time which should sit the year round, and he might safely add night and day, would at the expiration of the charter of the present Bank, be left, like the present Committee, with a multitude of subjects of complaint, which they would be “*compelled to abandon for the want of time.*”

With regard to the numerous matters of vital importance in the reorganization of the Bank, specie payments, domestic and foreign exchanges, investments in public debt by the Bank in 1824 and 1825, and its ability to make loans to the Government, the influence of the operations of the Bank upon trade, on the increase of the paper circulation of the Bank, its agency in diminishing or enlarging the circulation of local Banks, and the means of permanently regulating our general circulation so as to pre-

vent its injurious effects upon the trade and currency of the country, concerning which the Committee, or rather one of its members, submitted a number of inquiries to the President of the Bank: a copy of the answers of the President of the Bank to these inquiries, has already been submitted to the House. It is hoped they will be satisfactory to the House, and that they will contribute, with other considerations, to the conclusion, that the Bank of the United States ought, with such modifications as may be deemed expedient by the Legislature, to be immediately re-chartered.

The subscriber has long entertained the opinion, that the existence of a National Bank is indissolubly connected with the continuance of our national Union. The fiscal operations of the Government, in all its branches, he believes, cannot, without the aid of such an institution, be conducted, he will not say well, but at all. He does not say that the present Bank of the United States is indispensable, and his mind has sometimes hesitated upon the question, whether, at the expiration of the present charter of the Bank, the establishment of another, though similar institution, might not be more expedient than the renewal of the charter. Inclining rather to the latter of these measures before the institution of this inquiry, he has been very strongly confirmed in that opinion, by the result of the investigation in which he has shared.

The management of the affairs of the corporation during the administration of the present President, not exempt from human error and infirmity, has yet appeared to him marked with all the characters of sound judgment, of liberal spirit, of benevolent feeling, and of irreproachable integrity. A large proportion of its officers in subordinate trust are of the Society of Friends, a class of citizens peculiarly qualified for the performance of duties, and the exercise of qualities appropriate to the successful management of moneyed establishments—industry, punctuality, temperance, and a conscientious discharge of all moral obligations.

In considering the numerous and important public services, and the large contributions of the present Bank to the government and people of the United States, he thinks the least return which they are justly authorized to expect from the equity of the nation, is the renewal of their charter. The benefits and profits of the Bank have been enjoyed by the nation far beyond those shared by the individual stockholders. Besides the bonus of a million and a half of dollars paid to the public treasury for the charter—besides the saving of the expense of loan offices for the payment of the public debt, principal and interest—besides the obligation of transferring the Government funds to and from every part of the Union, as the public exigencies require—the nation has held one-fifth part of the stock from the commencement of the institution to this time, without payment of one dollar to its capital, until the last two years. It has received the dividends in common with the other stockholders; has exercised the exclusive right of appointing one-fifth of the directors; has been supplied with loans whenever the occasions of the Government have needed them, upon terms more advantageous to the public than could have been

secured from any other institution or company of individuals: while the Bank, by its salutary control, and its universally extended credit, has compelled the restoration of cash payments, and furnished a currency equivalent, in substantial value, to specie throughout the Union. These have been the advantages of the Bank to the nation, while the individual stockholders have realized, upon their invested capitals, scarcely more than a yearly interest of six per cent., even including the advance of the stock at this time in the market. This circumstance has afforded proof, nothing short of demonstration, of the rashness and folly of all those projects for the establishment of a new Bank, which have been presented to Congress, with a lure of enormous premiums for the grant of a charter. The subscriber has no doubt that the destruction of such an establishment would be speedy and inevitable, either by the absorption of all its profits to pay the premium, or, by forcing its direction into a wild and reckless extent of business, ruinous to the commerce of the country, not less than to the Bank itself.

In considering the expediency of renewing the charter, the subscriber discards all considerations of the interests or wishes—not only of the President and Directors of the Bank, but of all the individual stockholders of the corporation. In the question between chartering a new corporation, and rechartering the old one, if the interests of the individual adventurers are to be considered at all, like opposite quantities in algebra, they annul each other. It is the public interest alone that can determine the question, and in that view alone, the subscriber would prefer the renewal of this institution to the establishment of another. The present establishment has the advantage of long experience, and of a system matured by the acquired knowledge of many years, and by the correction of its own errors. That knowledge has been purchased at no inconsiderable cost, and a set of new undertakers would most probably have to pass through a similar noviciate. The result of his examination has been an entire conviction, that, with a view to the public interest alone, the charter of the Bank of the United States ought forthwith to be renewed.

In the free and unreserved animadversion upon the course of proceedings pursued in this investigation by the majority of the Committee, and upon the consequences to which they necessarily lead, which he has felt it his duty to indulge, he trusts it will not be understood as his intention to speak in censure of any individual member of the Committee. He imputes no injustice of intention to any one, even where he sees it most flagrant in the result of measures. If, in the examination of the books and proceedings of the Bank, a penetrating and severe scrutiny into the official conduct of the President and Directors of that institution was within the scope of the labours of the Committee, and he has no doubt it was, he was equally clear in the conviction that the resolution of the House gave them no right, and that the first principle of national justice *denied* them the right, to bring before themselves for censure or vindication the persons or the concerns of any other individual. The majority of the Committee thought

otherwise. Editors of newspapers, printers, attorneys, counselors, solicitors, brokers, members of Congress, and officers of government, they thought game fairly to be hunted down, *if they had an account in Bank*, because the Committee were authorized to examine the books and the proceedings of the corporation. They thought this a *liberal* construction of their powers. Differing from them in their definition of liberality, he has seen no cause to question the liberality of disposition of any one of them, according to their sense of the term. He does all possible justice to their intentions, though often and essentially dissenting from their reasoning, and from their philology. Liberality, in his vocabulary, is a word of very different import, and as unintelligible to them, as in theirs it is to him. From this remark, he deems it a tribute of candour to except the member of the Committee who constituted the majority, and the generosity of whose nature licensed the Report made by the Chairman of the Committee to the House. That same generosity of his nature impelled him, when the Report was presented, to rise in his place, and declare, that, in the whole course of this investigation, he had seen in the conduct of the President and Directors of the Bank, nothing inconsistent with the purest honour and integrity. Had that same candid and explicit declaration, due, as the subscriber believes, to the most rigorous justice, been made by the other members who sanctioned the majority Report, many a painful remark in the paper now submitted, perhaps the whole paper itself, would have been suppressed. But to vindicate the honour of injured worth, is, in his opinion, among the first of moral obligations; and, in concluding these observations, he would say to every individual of the House, and to every fellow citizen of the nation, inquisitive of the cause of any over-anxious sensibility to imputations upon the good name of other men which they may here find—

“When truth and virtue an affront endures,

“The offence is mine, my friend, and should be yours.”

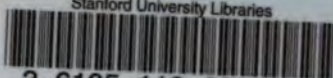
JOHN QUINCY ADAMS.

I concur fully in all the statements made, and principles developed, in the above Report.

J. G. WATMOUGH.

14th May, 1832.

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